

SWP/RCVS Blog 6<sup>th</sup> April 09

Clerk to the Court,  
Cardiff County Court  
Cardiff Wales

**1<sup>st</sup> Action CF6141159-MC65**  
**2<sup>nd</sup> Action CF101741,**  
**3<sup>rd</sup> Action CF204141**  
**4<sup>th</sup> Action 7CF07345,**  
**5<sup>th</sup> Action 8CF02269**

6<sup>th</sup> April 2009

**Kirk v South Wales Police 5 Actions of Harassment  
Abuse of Process 25<sup>th</sup> November 2009 Application**

Dear Sir,

**Barbara Wilding False 25<sup>th</sup> Feb 2009 Sworn Affidavit**

As per CPR Rule Part 31.23 I apply to the HM Attorney General and this County Court for the arrest of the Chief Constable of South Wales Police for the indictable offence of Contempt of Court. If neither instruct or orders someone to do it, I will do it myself without further notice.

Contrary to 25<sup>th</sup> November 2008 'Abuse of Process' Hearing Court Order, admitted in Para 3 of affidavit, there is no evidence of further disclosure having been made. The 3<sup>rd</sup> Action, CF204141, she states as not worthy of the Court Order. There is little or no indication as to what actual search has been carried out for Actions 1 and 2 when sufficient information was been served on the Defence to counter this predicted argument, it being always the practice of HM police, HM courts and HM Crown Prosecution to conspire and shred 'evidence' if there is the remotest chance lawful disclosure could affect their little gravy train, pension and world of immunity to prosecution due to 'Her Majesty's Prerogative'.

Over the past 16 years I have now submitted well over 100 lever arch files full of relevant evidence of the South Wales Police conspiracy to 'Pervert the Course of Justice' **to get me struck off the veterinary register** which could only be achieved with the cooperation of the HM Crown Prosecution Service and HM Court Service. (See leaked HM attorney general internal memos served on the management judge).

Information in her 26<sup>th</sup> February 2009 Sworn Affidavit was knowingly false.

From the outset of legal proceedings in 1973 my lawyers, upon my specific instructions, reminded the Defendant to retain all relevant evidence of incidents, later, well exceeding one hundred and twenty trumped up charges brought against me, only to be withdrawn, despite imprisonment, lost on appeal or stopped, part heard, to protect the consequences of further cross examination of bent police officers.

Routine court applications and written requests were made to CPS, courts and the Defendant to retain evidence, within hours of incidents, my having previous experience of malfeasance.

## **1. Para 18 1<sup>st</sup> Action 8.23. Failed Prosecution of Driving without Insurance**

Information denied now to be either known about or in existence by police, relating to this motoring incident, was applied for in my letter faxed and posted to the defendant on 16<sup>th</sup> January 1996 and refused in the police reply of 24<sup>th</sup> January 1996.

She is lying to state the police, CPS nor court has any record of this incident of nefarious conduct.

I was made to attend court on 3<sup>rd</sup> and 5<sup>th</sup> Nov 1995, 11<sup>th</sup> Dec 1995, 5<sup>th</sup> and 22<sup>nd</sup> Jan 1996. A series of police surveillance photographs of the relevant vehicle and my many other almost monthly changed vehicles, due to police harassment, were given to the CPS, presented in court, each referring to a police reference number, one being 33139/A, purportedly taken by the officer previously named and applied for in my countless but futile disclosure applications dating back to the incident. I will show the judge the police documents once I am in a competent court bound by statute law.

On 4<sup>th</sup> March 1996 the case was dismissed and I was awarded costs, my bus fare to the court room and I am still waiting. Even an article in the newspapers referred to the case, just to do my veterinary hospital damage and was, no doubt, arranged by police but published too early, before it was dismissed, part heard, only to protect the 5+ police officers in their conspiracy.

Other HORT documents relating to this incident were presented at Barry Police Station on both the 23<sup>rd</sup> Aug and 22<sup>nd</sup> September 1995. I need copies for the trial and IPCC.

My veterinary ambulance was clearly arranged to be stolen by the police, police references EA/95/9041 and EA/95/1260 refer, again the defendant claiming 'no knowledge' of the incidents when, for example, again written for in my 4<sup>th</sup> October 2008, ignored by Barry police station, for explanation and progress of 41 of some 100 occurrence numbers most relevant to this false affidavit and 5 Actions for damages.

### **Application for Specific Disclosure as per CPR Part 31.12**

I require, in order that I can take witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

Inspector Webster, Chief Inspector Brian Greaves, Superintendent Colin Francis, Kevin Fairman (driver), PC 566 Wilson, Senior CPS Prosecutor NG James, EB Brignall, Special Constable 7781 O'Brian, Special Constable 778 Martin and PC Swerson.

## **2. Para 23 2<sup>nd</sup> Action 5.1. Failed Prosecution of Speeding Allegation**

The defendant is again lying that neither she nor her staff are aware or have any record of the incident.

I was summoned and attended court on both 27<sup>th</sup> April and 1<sup>st</sup> June 1997. Charges against me were again withdrawn, part heard, without good reason, only to protect the police officer under cross examination, my being refused costs, my bus fares or a copy of the clerk of the court's notes. I arrested the CPS prosecutor, Mr Stoffa, by the scruff of the neck and never let him go until a van load of police

were heard, sirens blasting and had been assured by the police sergeant he would secure the evidence. Evidence was the court record, police and Crown Prosecution Service records. In particular the CPS file clutched in Mr Stoffa's sweaty little hands containing a clear photograph of the driver, not me.

The media, present, were told not to publish anything about it as with my 120 charges lost by the police.

My 1st June 1997 letters to Barry Magistrates Court, **John Smith MP** and Divisional Commander of the Barry police and 21<sup>st</sup> July 1998 letter to the nonsense 'Office for the Supervision of Solicitors' clearly laid a complaint of 'Conspiracy to Pervert the Course of Justice'. The defendant's actions since, to deliberately avoid investigation by having destroyed the records of the incident, despite already being in civil court for the 1st Action, was a clear act of Contempt of Court.

Inspector 1581 Rice, who attended with the 'van load' of police, is also lying in stating that he has 'no recollection' of the incident.

#### **Application for Specific Disclosure as per CPR Part 31**

I require, in order for taking witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

Divisional Commander Colin Jones, Chief Inspector James H Moore, Inspector Rice, PC 1532 Keith Lovell, officer in charge, Central ticket office, Treforest, purported creator of police letter, 25<sup>th</sup> March 1998 ref KFP/JR/JF/C036955X, PC 3719 Killick, R A Prickett CPS, Mr Stoffa CPS & Ms J A Caress, Clerk of the Court.

### **3. 2<sup>nd</sup> Action 2.1 Prevention of Terrorism Act 1989**

#### **Application for Specific Disclosure as per CPR Part 31**

I require, in order for taking witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy, my being accused of smuggling pigs in from Eire and avoiding immigration out.

Special Branch officer, New Scotland Yard, with my complaint of perjury by police officer Murphy and others referred to in letters to the Royal Ulster Constabulary, 5<sup>th</sup> May 1997, Scotland Yard 13<sup>th</sup> May and 26<sup>th</sup> June 1997 and I need the senior prosecuting CPS lawyer from London and identity of Stipendiary.

### **4. 1<sup>st</sup> Action 8.6 Police unable to identify Maurice Kirk**

I require, in order for taking witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

Inspector Trigg, Duty Sergeant, police officers 'ordered' from Barry to 'confirm' my identification, the 'duty' solicitor, all police staff who handled my custody tape that mysteriously then vanished and names and lodge numbers of magistrates sitting 'convinced' I should remain in prison until 'identified'.

### **5. Para 19. 1<sup>st</sup> Action 8.26 Police break into my veterinary surgery**

I require, in order for the taking of witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

Inspector Jenner, my past veterinary client, living in St Athan, his daughter, Alison Jenner and Anthony Gafael, drug dealer, tenant over my surgery and well known to the defendant and Cardiff City Council.

## **6. Para 16. 1<sup>st</sup> Action 8.20 Assaults, Actual bodily Harm, Arson Incidents**

She is again lying to say the police have 'no knowledge' or full record of the 6 or more occasions Police were called to attend fires to my property, to interview and/or arrest Paul Stringer re ABH, previous arson and criminal damage on both me and my buildings and refusal to investigate when faulty fire extinguishers indicated fraud. Stringer appeared in Barry court, at least once, when the police 'offered no evidence', despite my staff, my wife, myself and other eye witnesses being asked to attend, I being not the only complainant each time but had been conveyed to hospital, on one occasion, by ambulance when he attacked me in full view of the police. Barbara Wilding is lying through her back teeth to say 'proportionate discovery of records' has been occasioned on serious incidents relating to thousands of pounds worth of criminal damage and repeated use of public resources, ambulance, fire engines etc.

### **Application for Specific Disclosure as CPR Part 31**

I require, in order for taking witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

EB Brignell, Police occurrence number EA/95/4861, PC 973 Johan? Johnson, Paul Stringer and his brother, Inspector 913 Griffiths, Walter Sweeny (MP) and his 31<sup>st</sup> August 1995 letter.

## **7. Para 15. 1<sup>st</sup> Action 8.14 Cardiff Motoring Incident**

Denial she has record of this motoring incident is yet another lie. I was stopped with my wife and issued with a HORT 1 and produced it with valid motoring documents at Barry police station within seven days

### **Application for Specific Disclosure as CPR Part 31**

I require, in order for taking witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

A police record for the time period with my name on (Data Protection Act, Freedom of Information Act, Human Rights Act, CPR rules etc) as, for example, was asked for by my lawyers as far back as 1995 and we are still waiting.

## **8. Para 20. 1<sup>st</sup> Action 8.13 Stolen BMW motor cycle**

I require, for taking witness statements, their full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

A police record for the time period with my name on (Data Protection Act, Freedom of Information Act, Human Rights Act, CPR rules etc) as, for example, was asked for by my lawyers as far back as 1995 and we are still waiting. I need Mr Clode, garage proprietor instructed by police to retrieve my stolen bike.

## **9. Para 27-29. 2<sup>nd</sup> Action 10.1 Rectification certificate issued, -ve breath test**

### **Application for Specific Disclosure as CPR Part 31**

I require, for taking witness statements, their full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

A police record for the time period with my name on (Data Protection Act, Freedom of Information Act, Human Rights Act, CPR rules etc) as, for example, rectification document admitted by Wilding was asked for as far back as 1995 and we are still waiting.

## **10. Para 30-32 The 3<sup>rd</sup> Action**

The Defendant, displays further 'Abuse of Process' and 'Contempt of Court' by withholding further information **under her control** as opposed to be in '**police possession**', weasel words, her excuse of incidents being of 'antiquity' . Other information she has will be reminded about in a public court.

The incidents, she admits, occurred between 1998 and 2003. Inspector Griffiths was 'commissioned' to gather the police information in 2000. His Sworn Affidavit, upon which she relies, is also false.

### **Application for Specific Disclosure as CPR Part 31**

I require, in order for taking witness statements, the full names, addresses and a court order to disclose their contemporaneous record and identity of others in the conspiracy:

Inspector Griffiths, Inspector 2947 Colliandris and all records, with my name on, including to and from the now called **Independent Police Complaints Commission** and **South Wales Police Authority**, relating to each communication after EACH incident in all 3 Actions, **for police records to be retained**, as legal redress was already in train. (Examine, please, the 6 months series of damming 1993/94 letters from prosecution lawyers and myself to South Wales Police internal and external lawyers, also in defendant's possession).

Name and address of notary public who purportedly witnessed the defendant's overdue false Affidavit.

Signed:

**Maurice J Kirk BVSc**

**Copy to John Smith MP, Vince Cable MP, David Cameron MP, Martyn Jones MP, Vice Chairman, Royal College of Veterinary Surgeons, Battle Bus Committee [www.kirkflyingvet.com](http://www.kirkflyingvet.com) & [www.wacl.org.uk](http://www.wacl.org.uk)**

Martyn Jones MP  
House of Commons  
London

7<sup>th</sup> April 2009

## **Malfeasance and Royal College of Veterinary Surgeons**

Dear Sir,

Thank you for your 19<sup>th</sup> March 2009 indication that all I need do is to apply to the Privy Council.

Both the Registrar to the Judicial Committee and Chief Clerk to the Privy Council have refused to lodge any of my applications before the Privy Council contrary to statute law.

Similarly, the chairman to the RCVS disciplinary committee, sitting alone, refuses my application to go before the RCVS court, again contrary to the 1966 Veterinary Surgeons Act and 2004 rules.

I wish to visit your constituency with the battle bus to see if you will take me seriously but in the first instance, seek an appointment with you at the House of Commons to serve the evidence.

Yours faithfully,

Maurice J Kirk BVSc

Copy to John Smith MP, Registrar to the Royal College of Veterinary Surgeons & [www.kirkflyingvet.com](http://www.kirkflyingvet.com)

Dear Mr Kirk,

As a member of the Royal College of Veterinary Surgeons, and more importantly a member of the Disciplinary Committee, I cannot possibly get involved in any correspondence relating to any past or future involvement you may have with the Disciplinary Committee.

Any actions of the Disciplinary Committee are subject to appeal by the Privy Council and therefore this would be your resort if you have any concerns over the administration of discipline by the Royal College of Veterinary Surgeons.

Yours sincerely,

Martyn Jones MP

Complaint One:

On 30th March 2009 I am interviewed at Bridgend Police station re my complaint of the 26th Feb 2009 False Affidavit full of the easily proved lies by Barbara Wilding.....well I thought I could!

Dream on Maurice, the Detective Inspector Mark Williams refused to take the complaint. But I could make a complaint to the South Wales Police Authority, based in Bridgend Headquarters, just down the road! But I had tried all that more than once, what a classic example of their usual 'treacle treatment'.

Complaint Two:

Experienced in these matters of police tactics I sprung a new complaint about his inferiors, this time, he could not refuse. Conduct of Barry Police Station he could not ignore having just been made to explain the current 'ground rules' on what complaint could be taken.

Barry Police Station had refused to give any information on 39 incidents listed in my 4th 'Oct 2008 letter each with a police 'occurrence number' allocated. He took my statement of complaint for the paper shredder so I will not be holding my breath for a substantive reply.

Complaint Three:

Well lets make another complaint,, I thought, if not just for a bit of fun, to show people around the world, just how thoroughly deceitful South Wales Police tactics really are. I told him how, having complained of his boss delaying writing down her her lies by a month, contrary to Court Order, lying through her back teeth, instead, signed her 26th Feb 2008 Sworn Affidavit, it appeared just minutes from my leaving her solicitor's office! Within the hour I am stopped by police and made to produce driving documents including an MOT for a foreign car! I am stopped by police a total of 4 times before I even get out of the built up area.

So I find the nearest police station, Penarth, in order to lodge a complaint....what a joke. My property in Cardiff had recently been burgled and vandalised so I asked for the progress on the incident .She promised 'The Earth' but could not, apparently, even find any record of the incident number or proof the complaint had been lodged....proving the police continue to refuse to investigate crimes against me.

This 3rd complaint was supported by my 26th Feb 2009 complaint letter to John Smith MP, written on the very same day of the false affidavit and visit to Penarth Police Station.

Oh what a farce. On 27th Feb 2009 I went to see the Chief of Police at Bridgend Police HQ to establish if she had realised her affidavit was false and contrary to the Fraud Act. The chief inspector said I would not be able to see her so the only alternative was to make formal complaint. "Oh yes , of course you can, Mr Kirk" and promptly refused to look at the affidavit or take down a detailed statement. Her affidavit is now on **recent downloads**, the content of which is explained in my 1st March missive to John Smith MP.

**This week** I am getting some late disclosure of the RCVS/South Wales Police 2001 conspiracy with Members of Parliament and Welsh Assembly Members being named and explaining the bizarre conduct of the 2002 RCVS trial, refused an witnesses of fact and under the control of a mad man, John Wood QC, just to bow and curtsy to the whims of political pressure from that talking shop, the Welsh Assembly and left wing MPs in Westminster, in the direct employ of the Royal College of Veterinary Surgeons, claiming '**privilege**', would you believe!!!!!!

7 years it has taken me to find out what this was all about with the 10 week trial is fixed for 2010 and witnesses only now being disclosed!

Time to stir my Member of Parliament again, NOW I HAVE A NEW TUG AIRCRAFT TO PULL BANNERS AROUND MP's SURGERIES

John Smith MP, Labour Member for the Vale of Glamorgan, South Wales, UK. **CO/397/2009**  
House of Commons  
Westminster

25th March 2009

Your Ref k/2002

**ABUSE of PROCESS**



**South Wales Police, Royal College of Veterinary Surgeons & Welsh Assembly**

Dear Mr Smith,

An example of the current state of our UK courts, ultimately your government's responsibility.

- 1. I make a 'de novo' application for re instatement to the veterinary profession.
- 2. Veterinary Surgeons Act 1966 states I may apply every 10 months and that a public court must be convened within 3 months of my July 2008 application.
- 3. The College chairman, alone in October 2008, refused a hearing or disclosure of her reasons.
- 4. 17<sup>th</sup> March 2009 Royal Courts of Justice Judgment has now refused my Judicial Review Application of a clearly unlawful act with the Honourable Mrs Justice Dobbs stating:
  - a. **"The grounds challenged are general, vague and incoherent".**
  - b. **"This claim is traversing old ground"**
  - c. **"The court should fix a hearing for consideration by the court of its own motion of the imposition of a further Civil Restraint Order".**

Yet another 'Abuse of Process', Mr Smith, from the 2001 conspiracy of embittered welsh police on your patch with thoroughly deceitful RCVS lawyers falsifying and withholding evidence, all enjoying 'Her Majesty's Prerogative' immunity to prosecution. Why? The pressure caused from your colleagues, running amok like headless chickens, having been fed false information from a lying Ms Felicity Norton hell bent on completing some television documentary commissioned by ITV Wales.

It all stinks, Mr Smith, doesn't it but what will you do about it?

Yours sincerely,

Maurice J Kirk BVSc

Copy to Vince Cable MP and <http://www.kirkflyingvet.com/>

**House of Commons  
London**

17<sup>th</sup> March 2009

Dear Mr Smith,

I enclose my latest statement of complaint to an indolent Welsh organisation, riddled with deceit and intrigue.

We are demonstrating at Bucking Palace on Sunday and again in early April around London.

Demonstrations are being mobilised across the country, as I write, on the current state of UK Law and Order.

I wish to know what progress there is, as soon as possible, on the points raised in my 6<sup>th</sup> March letter.

Thankyou

**Maurice J Kirk BVSc**

## **Police Complaint against Royal College of Veterinary Surgeons**

**My complaint is supported by documentary evidence referred to in my communications with my Member of Parliament, Mr John Smith MP, to indicate a conspiracy to pervert the course of justice, perjury and breaches of the Fraud Act committed by lawyers and members of Royal College Council.**

- 1. In January 2002 I was prosecuted before the College Disciplinary Committee upon the decisions of the Preliminary Investigation Committee.
- 2. On the 29<sup>th</sup> May 2002 my name was removed from the veterinary register, subject to my appealing to the HM Privy Council within twenty eight days, my having been refused witnesses of fact or disclosure of the contemporaneous material gathered by the prosecution.
- 3. On the 19<sup>th</sup> January 2004 Their Lordships upheld both the 'findings' and ambiguous RCVS 'judgment' having been '**assured**' by the College, in five different hearings, that there had been

full disclosure of the relevant material gathered by their team of investigators across South Wales, England and Scotland.

- 4. No RCVS contemporaneous notes of evidence have ever been disclosed to me, relating to either **Charge A, my criminal convictions** or **Charge B, that I had brought the profession into disrepute**. The RCVS repeatedly lied before the Judicial Committee of the Privy Council, the Royal Courts of Justice Administrative court and Court of Appeal reliant, each time, on immunity to prosecution by the 1967 RCVS Royal Charter which states UK HM judges **must** favour the Royal College or agents thereof when cited as a litigant in either civil or criminal proceedings.
- 5. The RCVS went on to repeatedly inform other courts, while still on oath, that there had been full disclosure and that the original material before the 2001 Preliminary Investigating Committee, to obtain a court hearing, had all been disclosed to me when it had not. Discovery now, under the 1966 Data Protection Act, of UK politicians' communications directly with the College lawyers and members of council confirms this was also a deliberate lie.
- 6. It was not until November 2006, at an application hearing for my re instatement, did the College finally admit that their years of mounting contemporaneous notes of evidence were all protected by '**legal professional privilege**' and therefore need not be disclosed. Again the College was lying as a witness is anybody's property and withholding relevant evidence was both fraudulent and contrary to the laws of discovery.
- 7. Despite court directions to make the RCVS acknowledge my list of documents requested, (I assume based on CPR standard procedure for discovery of evidence), the College has continued to refuse even to disclose whether the interviews by their lay staff with Ms Felicity Norton and numerous other clients of mine, as potential prosecution witnesses, was evidence being withheld as '**qualified**' or '**absolute**' privilege?
- 8. Before the 2002 trial commenced I had asked the College, in writing, for disclosure of the evidence gathered in enquiry in the Vale of Glamorgan but I was refused every time.
- 9. **Now I know why**. The political threats and interference of 'due process' by Members of Parliament and Welsh Assembly, one actually on the RCVS Committee, another recently resigned, all based on erroneous information, known to be deliberate, was left to lawyers, accountable to know one, to hide the paranoia so clearly displayed in the withheld documents of evidence now disclosed.

- 10. During the 2002 trial I was repeatedly refused evidence with the Chairman, a Mr Brian Jennings, finally saying I could not because a Sir John Wood QC, the Legal Assessor to the Committee and me, had 'said so'! It was plainly obvious, to all, the gentleman in question was both mentally incompetent and his judicial role had been set down by Statute as one of giving advice only.
  
- 11. Members of the almost permanent RCVS jury, I now know, knew that their judicial procedure had already been accepted by the College as being contrary to the 1998 Human Rights Act.
  
- 12. The RCVS Registrar mysteriously arranged for a van load of South Wales policemen, the original complainants to the College and previously interviewed as prosecution witnesses, to attend court for my **defense**, contrary to the Court of Appeal Court Order ruling, handed down only just a few days before.
  
- 13. The RCVS continue to refuse to disclose the official court transcript, apparently not a public document anymore, protected by Crown copyright, required to support this criminal complaint.
  
- 14. I have established new evidence, since my last court application. In order for an RCVS trial, under the 1966 Veterinary Surgeons Act, the gathered information had to first go before the President or Vice President of the College and then, if need be, onto the Preliminary Investigation Committee. Only the PI Committee can cause a College court to be convened.
  
- 15. This was achieved by College lawyers in 2001 who, deliberately withholding favourable evidence, tendered, instead, the false evidence on the PI Committee which was an indictable offence, as all this complaint is, not being time barred by Statute.
  
- 16. A 20<sup>th</sup> June 2001 RCVS College internal memo identifies the main issues before the PI Committee that day that were never revealed either to me or Legal Assessor in open court.
  
- 17. Issues included a long list containing my purported police criminal record, dominated with motoring and public order offences, gathered from just where is still to be established. This list matured, it appears, following the refusal by the HM Crown Prosecution Service, in Cardiff, to a direct request from politicians, despite Home Office Regulations 1987/45.
  
- 18. Sixteen of those convictions on the list, before the PI Committee, were deliberately false.

- 19. The Deputy Registrar of the College, Mr Gordon Hockey, even wrote to politicians asking them to use their 'influence' to obtain the confidential police files from the South Wales Police when external RCVS lawyers, Penningtons of Gutter Street, London, next visited Cardiff police station.
  
- 20. My letter of 4<sup>th</sup> October 2008 to Barry Police station refers and particularly asks what progress has been made in any of the forty one police identified incidents (occurrence numbers) relating to the RCVS's unlawful failed disclosure.
  
- 21. I have, to date, received no response from the police concerning my requests in that letter which is placing me in some difficulties in disclosing all the facts for this complaint.
  
- 22. Convictions before the PI Committee were either withdrawn **before** a magistrates hearing took place, **overturned** at Magistrates or Crown Court, **withdrawn part heard** or having **never existed** in the first place!
  
- 23. Approximately **one hundred and twenty one charges fell into these categories**, during the ten years of interest the South Wales Police had in my welfare, while I attempted to run my veterinary hospital in Barry in The Vale of Glamorgan.
  
- 24. Police examination of court record, Data Protection Act disclosure on the HM Attorney General and content of letters to John Smith MP, will confirm I now have proof these politicians are still frantically writing letters, as they did in 2001/2002, now attempting to change the law, literally overnight, in order to prevent my applying 'to practice veterinary surgery', every ten months. A minimum of five years is their target, just to prevent disclosure of their conduct. My family's profession has been ridiculed by this ongoing 'web of deceit' being spun by those, in positions of privilege, dependent, as always, upon their daily abuse of '**Her Majesty's Royal Prerogative**'.
  
- 25. Politicians implicated by documentary evidence, now found, include Jon Owen Jones MP, Central Cardiff, David McClean MP, somewhere in Scotland, Martyn Jones MP, Flintshire and Ms Jenny Randerson AM of the Welsh Assembly. They even tried, at one point, to drag in Alison Halford AM as a witness, a client, my never ever knowing about it.
  
- 26. Erroneous undisclosed evidence from A Ms Felicity Norton, before the PI Committee included allegations of a breach in '**professional privilege**'. Hearsay evidence suggests she was in the

process of gathering information about the veterinary profession for a TV documentary program, at the time my services were needed, the lady being unable to obtain veterinary help from elsewhere at the time.

- 27. A Ms Wall, in similar circumstances, concerning 'her' injured dog having fallen over the cliff at Llantwit Major, had also made an erroneous complaint but, again, this undisclosed evidence, was only put before the PI Committee to influence their final solution.
- 28. Recent discovery of documents, referred now to my Member of Parliament, reveals that the Royal College falsified witness statements, some of which were served on me, as true copies of the originals, while other statements were unlawfully drawn up but refused by the relevant potential witnesses. All these witnesses were withheld completely from the trial, College Council members present knowing, full well, it had been unlawful to deny me the witnesses.
- 29. On the 20<sup>th</sup> June 2001 the Preliminary Investigation Committee, by majority vote, put my name forward to be prosecuted before Disciplinary Committee court reliant on false information.
- 30. The Clerk to HM Privy Council, a Mr Galloway, refuses, in writing, to acknowledge receipt of these complaints by way of my Humble Petition, to which I am entitled, under the Act.
- 31. K Reid, female, of the 1948 European Convention of Human Rights and Fundamental Freedoms, in writing, refuses to acknowledge receipt of any further complaint from me relating to the Royal College of Veterinary Surgeons.

**The content of this, my statement, is true to the best of my belief.**

Signed: Maurice J Kirk BVSc 17<sup>th</sup> March 2009

Marlpits

St Donats

Llantwit Major

Vale of Glamorgan

South Wales CF61 1ZB

Copy to John Smith MP and Barbara Wilding, Chief Officer of South Wales Police.

Police solicitors

2nd March 2009

Dear Sir,

Kirk v South Wales Police

The content of Barbara Wilding's final drafted sworn affidavit, dated 25<sup>th</sup> Feb 2009 and one of Inspector Griffiths, of May 2000, clearly indicate she must be arrested and prosecuted under Sections 3 and 4 of the Fraud Act 2006 before other offences, concerning court proceedings, are considered.

Do you intend to file a complaint to the police to arrest her or are you leaving it to us?

Yours

Maurice J Kirk BVSc

Dolmans

Cardiff

9<sup>th</sup> March 2009

**Kirk v South Wales Police 5 Actions of Harassment**

**CF6141, BS159-MC65, CF101741, CF2041, 7CF07345, 8CF02269**

Dear Sir,

**Barbara Wilding False 25<sup>th</sup> Feb 2009 Sworn Affidavit**

In the light of your client being unable to exchange witness statements and continues to refuse to identify forty one police recorded incidents relating to the two hundred plus incidents over ten years, purely to have my name removed from the veterinary register, may I suggest a way forward?

- 1. You advise your client to disclose the records, not already done so, still under her control.
- 2. Advise her to order Barry police to disclose records identified in one of my many applications for disclosure, over the past seventeen years, below, my unanswered 4<sup>th</sup> October 2008 letter.
- 3. Inform me as to what progress my complaints have achieved, if any, in order I may call those responsible as witnesses in the trial.
- 4. You may recall I put into your safe keeping my own records in eighty odd full leaver arch files following the Crown Prosecution Service admitting deliberately they destroyed the court records, despite pleas and Crown Court orders to the contrary. My court records, with you, included the evidence relating to one hundred and one dismissed criminal charges brought by your client and facts about my numerous false imprisonments.
- 5. Barbara Wilding's Affidavit, obtained by my Nov 2008 Abuse of Process Application, now smouldering somewhere in HM Whitehall, confirms both the police and HM Court Service have also deliberately destroyed the evidence, contrary to my solicitor's requests from 1993 onwards, contrary to judges and magistrates orders and my own applications, directly to the police, exceeding well over one hundred in number, my secretary is about to confirm.
- 6. I wish those, apparently, last remaining records of my false imprisonments, assault upon my person, perjury by police, refusal to properly investigate crime upon my property and those of my staff at the then Barry Veterinary Hospital etc., etc., be handed immediately today to the Management judge, HH Judge Nicholas Chambers QC, forthwith, as **evidence**.
- 7. They are **NOT** to be left in the custody of Cardiff County Court as they will go missing as with so many previous files of mine while the HM Treasury Solicitor continues to order the rounding up of any 'new material' in his seven year investigation to have certified as **a vexatious litigant** [see enclosed HM internal memo from HM Attorney General's communications with Mr Justice Andrew Collins QC].
- 8. If you cooperate I wish to attend today and remove any sections within those eighty files, not relevant to the five and yet to be served sixth Action, in order to assist both management judge and the trial judge in January 2010.
- 9. The conduct of her affidavit causes me, unfortunately, also to now call for a further hundred or so witnesses, with or without statements, as they may be hostile.
- 10. I need to liaise with South Wales Police stations to have interviews with constabulary, tape recorded on their own equipment for me to prepare a truthful account, something your client's advisors to the Chief of South Wales Police and lawyers to the Royal College of Veterinary Surgeons definitely are not.
- 11. It has also come to my attention, that Members of Parliament and Members of the Welsh Assembly are implicated in the obtaining for the RCVS erroneous police confidential records released contrary to the Home Office regulations 1987/45. What was your involvement in that when your client, supported by oodles of tax payer's cash, had both motive and incentive?
- 12. Refusal by your client may lead to applications to the RCJ and Appeal to the Court of Appeal.
- 

Yours,

Maurice J Kirk BVSc

Cc HRH Prince Charles, The Prince of Wales, John Smith MP, John Cameron MP, Vince Cable MP  
<http://www.kirkflyingvet.com/>



Barry Police Station, Vale of Glamorgan

South Wales

4<sup>th</sup> October 2008

**Police incident numbers**

Dear Sir,

Please find enclosed a sample of incidents that cannot all be identified due to the nature of your original letters disclosing only the incident number logged at your police station but nothing as to the progress by the police or verification that the incident number in fact relates to the specific incident reported.

I require, without further delay, what information, if any, the police may have obtained since each incident was logged.

I require specific identification for which each number refers, the complainant or investigating police officer's name, the time, the place and names of all police personal and members of the public involved.

I request, to expedite, a visit to the station to examine all records relating to these incidents, not withheld by statute, in order to take copies.

**John Smith MP, Labour Member for the Vale of Glamorgan, South Wales, UK.**

**House of Commons**

**Westminster**

6th March 2009

Dear Mr Smith,

Your Ref k/2002

**ABUSE of PROCESS**

**South Wales Police, Royal College of Veterinary Surgeons & Welsh Assembly**

**Summary**

1. **The Royal College of Veterinary Surgeons convened a court to have my name removed from the veterinary register for life relying on the evidence of a Miss Felicity Norton, Miss Wall, Inspector L A Collins of the South Wales Police and a dubiously acquired list of erroneous criminal convictions obtained, it appears, by Members of Parliament and the Welsh Assembly and College external lawyers visiting Cardiff police station.**
2. **Complaint made no mention of 'animal welfare', 'deceit', 'use or misuse of drugs' or 'interfering with one's patients', being the usual list for professional people to deliberate upon when considering a colleague's demise.**

3. Their Lordships at the Privy Council Appeal went so far as to complimenting me on my only commitment under the 1966 Veterinary Surgeon's Act, that of animal welfare.
4. Information before the Preliminary Investigation Committee, prior to and Disciplinary Committee and 2002 trial, was only obtained by my application of the 1998 Data Protection Act after I was struck off the veterinary register.
5. The RCVS continue to refuse just what was before them in 2002 and disclosure of the South Wales police complaint enquiry, the College even write, was not relevant .
6. I was refused any witnesses referred to in the College's protracted and expensive enquiry, identified below, being only allowed restricted cross examination facilities of cherry picked South Wales Police officers and others summoned by the College.
7. I was refused the right to serve witness summons on any one, for my defence, including the RCVS case workers who had originally gathered, I now know, favourable contemporaneous notes of evidence, even from a Welsh assembly Member, before handing it over to Jane Hearn, Registrar and barrister for the College and Gordon Hockey, Deputy Registrar and barrister, two of the main players in their game of deceit.
8. Partially disclosed material, below, clearly indicates paranoid communications between Members of Parliament and the Welsh Assembly to obtain confidential police records about me.
9. Potential RCVS witnesses, many my own clients, were first interviewed but then served false witness statements to sign, drafted by G Hudson of Penningtons, Solicitors, of Gutter Street, London. At least one witness refused and others were soon 'air brushed out', Austin Psychiatric Hospital Court style, once their credibility came into doubt, as if they never existed.
10. THE RCVS continue to refuse to disclose, contrary to the Act, any contemporaneous notes that were taken by any of RCVS case workers relating to the evidence heard in the 2002 court.
11. Only five years later did the RCVS barrister, Ms Fenella Morris, let it slip that their original enquiry was '*privileged*', '*absolute*' or '*qualified*, *still remains a complete mystery*.'
12. *The protection* by the 1967 RCVS Royal Charter, bestowing HM immunity on College personnel and agents, such as Penningtons, to any criminal or civil prosecution, is quite wrong.
13. I watched a High Court deliberate this very point of law with an RCVS barrister. The transcript will be on website shortly for web site readers from around the world to decide.
14. HM Information Commissioner, for the very same reason, therefore, refuses to disclose any RCVS documentation, at all or of his clearly perfunctory enquiry.

The 'Royal' College had told their Lordships of the Judicial Committee HM Privy Council, at least ten times in five differently convened courts, that there had been 'full relevant disclosure' and then served on me a fraudulently concocted bill of costs, exceeding £66,000.

15. HM Privy Council have the power, with or without the 1966 Statute, to intervene tomorrow, if they feel so minded but the Chief Clerk, Mr Galloway, refuses even to receive my 'Humble Petition' containing this new evidence of criminal conduct of those also under the protection of 'The Memorandum of Understanding between Chiefs of Police and the Law Society'.

Felicity Norton

## History

She could find no Cardiff veterinary practice open on a Sunday for an emergency. I was therefore presented with a distraught stranger and a dying cat needing immediate hospitalisation and 24 hour critical care with no access to medical history.

Following the demise of the cat Ms Norton, anxious to promote a TV documentary on '24 hour cover in the veterinary profession', caused well over two hundred letters to be written, at least, that I now know about, to anyone conceivably remote enough to assist in my name being removed from the veterinary register even phoning politicians and council members for the college on their home numbers!

Even after I had been referred to the Disciplinary Committee, on her false information before the Preliminary Investigation Committee, even more statements were drafted for her, should the first not stand the test of proof!

Should the first disciplinary committee hearing fail, this lady, I am told now, while pursuing all but the Arch Bishop of Canterbury on the matter, was ready to give evidence on yet another re interview in a Cardiff hotel.

She as with the College case workers, holding my 'character witness evidence' for re instatement, refuse to voluntarily appear on my behalf in my seventh application court hearing to be re instated as a practicing veterinary surgeon.

The RCVS continues to refuse my applications, contrary to their own drafted 2004 statute, drawn up by the very same members of Royal College Council who had earlier communicated with Ms Norton, police and other alleged complainants back in 2001, like Ms Wall, their documentation, incidentally, having been carefully withheld from the 2002 Disciplinary Committee hearing and now despite my Data Protection Act Application.

Just how incestuous, Mr Smith, does this case have to become for you to act on my behalf?

The RCVS can never allow an oral hearing, yet alone 'character witnesses' for fear of the consequences now that it is known so many politicians were active in the enquiry. No wonder I was refused and witnesses or access to the RCVS investigation.

#### Extract from RCVS records partially disclosed under the 1998 Act.

1. 6th July MJK explaining and asking **Jon Owen Jones MP, Labour Member for Central Cardiff**, for help on '24 hour service difficulties within the profession', in the light of 'learned helplessness' rife in our society, having been first introduced in 1946 by HM government of the day. MJK received no reply.
2. 10<sup>th</sup> July 2000 Ms Norton's Complaint Form to RCVS
3. 21<sup>st</sup> July RCVS internal memo reveals Ms Norton's true agenda.
4. 3<sup>rd</sup> August 2000 **Jon Owen Jones MP** to RCVS letter pressing the College to prosecute me, enclosing thirty five press cuttings!

**Mr Jones was one of the almost permanent RCVS lay jury members, contrary to the 1998 Human Rights Act, available to sit on my disciplinary committee hearing due that very September.**

5. 24<sup>th</sup> Aug 2000 **Ms Jenny Randerson, Lib Dem AM**, letter pressing the RCVS to 'explore' the thirty odd enclosed newspaper cuttings provided by Ms Norton, in order to prosecute me.
6. 4<sup>th</sup> Sept 2000 RCVS letter asking **Ms Jenny Randerson, Lib Dem AM**, 'for any information she can uncover' relating to my alleged convictions.
7. 4<sup>th</sup> October 2000 **Jenny Randerson Lib Dem AM to RCVS** enclosing newspaper cutting.
8. 12<sup>th</sup> September 2000 MJK's detailed explanation, point by point, to RCVS enclosing staff witness statements of Ms Norton's abusive language, verbatim, each time she entered my premises with

clear indication she would complain should she have to pay. Not an uncommon experience for a veterinary surgeon when dealing with a stranger on a one off basis, unable to refuse veterinary assistance for fear of being struck off.

I have now found time in Brittany to read my own staff and VN two page statement, for the first time and I must say I can feel some sympathy for others who may have had to deal with the lady, RCVS lawyers apart.

9. 19<sup>th</sup> Sept 2000 **Jon Owen Jones MP** to RCVS enclosing newspaper cutting and a 'new' statement by Ms Norton.
10. 2<sup>nd</sup> Nov 2000 **Ms Jenny Randerson Lib Dem AM** letter again to RCVS complaining of delay in litigation and that I am still practicing.
11. 13<sup>th</sup> Dec 2000 **Crown Prosecution Service** letter refusing Ms Norton my criminal record and suggesting she writes to RCVS to ask the South Wales Police to disclose, knowing full well it was all contrary to 45/1989 Home Office Regulations.
12. 20<sup>th</sup> Nov 2000 RCVS receive a video from Ms Norton. MJK never seen it or notified.
13. Nov 2000 RCVS internal memo by Vice Chairman stating "**this case can only go to Disciplinary Committee**"
14. HMCPS letter even suggested to the **Welsh Assembly Member** that the RCVS should ask the police!
15. 20<sup>th</sup> December 2000 **Welsh Assembly Member** letter to the RCVS confirming there was to be a Disciplinary Committee hearing in January 2001, relating to Ms Norton and expected the RCVS to obtain confidential police records from her constituent's police station. Which they promptly did.
16. 1<sup>st</sup> Dec 2000 RCVS letter to MJK referring to Ms Norton's complaint omitting to furnish information gathered or that Ms Norton had caused around four other complainants, yet to be identified, to press for my name to be removed from the veterinary register
17. 1st Dec 2000 RCVS letter to Ms Norton arranging for Geoffrey Hudson of Penningtons to interview Ms Norton in the morning and partner, Roy Irwins in the afternoon and he would be bringing them their expenses.
18. 15<sup>th</sup> Dec 2000 RCVS Ms Penny Butler, case worker, refers to web site content for PIC.
19. 18<sup>th</sup> Dec 2000 RCVS Head of Professional Conduct Department, Gordon Hockey, asking **Jenny Randerson Am** to obtain MJK criminal convictions from the police.

**"If you could use your office to persuade the relevant authorities to release these details to the College it would seem to me that there is an overriding public interest that would make this possible".**

20. 13<sup>th</sup> Dec 2000 Crown Prosecution Service letter refusing Ms Norton my criminal record and suggesting she writes to RCVS to ask the South Wales Police to disclose, knowing full well it was all contrary to 45/1989 Home Office Regulations.
21. 8<sup>th</sup> Feb 2001 RCVS lawyer letter to Ms Norton stating MJK will only be supplied by the Geoffrey Hudson drafted statement for Ms Norton to sign, despite contemporaneous notes taken over one working day in a Cardiff hotel, never yet revealed and contrary to law. Gordon Hockrey quote:

**"Complaints to the College are not normally discussed with third parties and the average number of complaints against a vet surgeon is about 1 in every 10 years".**

22. 23rd Feb 2001 **David McClean MP, Lib Dem**, letter referring to **Welsh Assembly Member's** pressure, based on obtuse, unverified information from an apparent lunatic, all three now pressing the RCVS to prosecute me on the information of Ms Norton's personal phone call to his private House of Commons number!

**Mr McClean just happened to be the other Member of Parliament lay member of the RCVS jury due to sit in a few weeks.**

**David McClean MP's** warning to the RCVS was that the case, "**needed to be 'cast iron' or he would immediately seek a Judicial Review**", "**I decided to look at his website and I must admit it is Bizarre**".

[Just how many more lorry loads of 'devil worshipping freemasons' do you want me to mention in my complaint to your Government, Mr Smith, before there is violent insurrection?]

- 23 27<sup>th</sup> February 2001 RCVS Registrar letter to **Mr McClean MP** telling 'David' she is keeping everybody informed of 'developments',

**"I am happy to notify you if, as a consequence of his convictions, there is a disciplinary hearing"**

- 24 15<sup>th</sup> March 2001 **Charity Commission for England and Wales** to **Jenny Randerson AM** her concern "a veterinary surgeon has donated £10,000 in order to assist in the creation of a new animal charity in Wales"
- 25 Whose money was it, anyway, that worried a **Welsh Assembly Member** so much as to write to a government department without first asking me?
- 26 2<sup>nd</sup> April 2001 RCVS letter to Ms Norton for Nicola Tucker, case worker, to re interview Ms Norton at Moat House Hotel Cardiff on 5<sup>th</sup> April 200 there being a refusal by Ms Norton and Mr Irvin signing the GH drafted statements (as with Magistrate Williams and sister, witnesses on the Barry beach, false Penningtons' statements?).
- 27 5<sup>th</sup> April 2001 RCVS letter to Ms Norton assuring her that a named veterinary surgeon in her area was also pressing for a College prosecution and that Mrs Tucker and G Hudson would have to be stay an extra day in the area to pursue her other complaints.

**Gordon Hockey assures Ms Norton that should she not pursue her complaint by not signing the RCVS version of her evidence it may not be "practical" to prosecute later if College only proceed with convictions.**

- 28 11<sup>th</sup> April 2001 RCVS Tucker letter to Ms Norton confirmed 2<sup>nd</sup> interview took place in Cardiff and that the College "utilised" her list of contacts to pursue complaint in the Cardiff Area
- 29 Ms Tucker also confirmed Ms Norton's worry that if she signed the typed RCVS witness statement it may allow MJK to be able to examine the '**contemporaneous note of enquiry**'.
- 30 Miss Tucker confirmed her return to Cardiff to see her yet again and interview other witnesses after Easter
- 31 27<sup>th</sup> April 2001 RCVS Hockey letter to MJK cited 4 complaints: Ms Norton, Ms Wall, Chief Inspector LA Collins, South Wales Police and alleged police convictions'.

Hockey stated, "**I do not consider your requirements for disclosure of police material a matter for the college**", "**and your response will be copied to the complainant**" which, the RCVS assures me has always been the case for me.

- 32 30<sup>th</sup> April 2001 RCVS Ms Tucker letter to Ms Norton stated that the College was not to proceed with her complaint. So did she sign the first drafted statement or not and if not, why not? Why tell her when her case, on the 20<sup>th</sup> June, went right back before the same PI Committee, NOT DROPPING IT, but, instead, referring her case to the full court? Why tell her something different? Ms Tucker told Ms Norton, in the letter, the College could not prove MJK was in the vet hospital when the cat died, Ms Norton saying MJK was in court at the time! (MJK, again, was not notified of any of this utter nonsense)

**•33 19<sup>th</sup> May 2001 RCVS e-mail memo indicates Ms Norton had telephoned Austin..."she blames us for putting her in a position so she cannot sign her statement-if we had acted promptly Kirk would not be as threatening".**

- 34 21<sup>st</sup> May 2001 RCVS Ms Tucker 4 page letter to Ms Norton admitted that the RCVS had supplied Ms Norton with MJK's criminal record and circumstances surrounding each conviction and details of other confidential, some false, information about other complainants and the RCVS gathered material by numerous visits to the Cardiff area, including written communication with surrounding veterinary surgeons writing to the College. None of this was made known to MJK.
- 35 23<sup>rd</sup> May 2001 RCVS Hockey letter to MJK referred to complaint by Ms Herbert (Ferret ITV footage, it is guessed) and Dogs for the Disabled, a charity with more money than sense. Despite the court hearing from the defendant's barrister, I had been given permission to put a dog to sleep, they still had refused to pay the modest veterinary fees following protracted orthopaedic surgery on a poor dog that should never have been subjected to their work in the first place.
- 36 6<sup>th</sup> June **Alison Halford, Welsh Assembly Member** letter has been disclosed, far too late, under the Act, as being copied to **Jenny Randerson AM** an ideal character witness for the trial and speaker on the Home Office Regulations relating to confidential police records.
- 37 18<sup>th</sup> June 2001 RCVS letter being evidence that Ms Norton wrote to members of the PI Committee asking and getting further information MJK still knows nothing about.
- 38 20<sup>th</sup> June 2001 RCVS Preliminary Investigation Committee Memo, only obtained under the 1966 Data Protection Act, voted a majority vote for MJK to be prosecuted on evidence furnished by Ms Norton, her partner, Mr Roy Irvins ( employed by the media), Ms Walls evidence (dog over a cliff) and that ever could be obtained from of the South Wales Police.

One committee member, present, caused to be recorded:

**"asked the committee to consider the problems there would be if disciplinary were taken, because the case would be both expensive and protracted".**

**Susan Pyper**, the lay observer present, comments were also fortunately recorded but she refuses to reply to my letters in the light of new evidence previously withheld from her.

- 39 29<sup>th</sup> June 2001 MJK to RCVS letter, following being notified of court action, I state:

**"Further to your previous correspondence I require, for my defence, full details of your enquiries on all matters of alleged complaints and otherwise, especially those that are not before the college enquiry in September. I ask because I have become aware that members of the public, including my clients, have been approached by lawyers of the college, what could only be information to support the college's allegations against me. I therefore require private investigators records and copies of any statements relating to me that followed from this investigation".**

### **Maurice J Kirk BVSc MRCVS**

Remember, Mr Smith, I was refused all witnesses, refused the right to issue any witness summonses or see any contemporaneous record of the RCVS enquiry at the 2002 trial. Even Gary Flather QC ordered the College to accept my list of disclosure requirements, in November 2006, in yet another farcical but equally illegal hearing, to be re instated, witnessed and clearly understood by Mr Patrick Cullinane Esq.

I wish you to meet Mr Cullinane and other well informed witnesses of this conspiracy between the police and a bunch of reject attorneys.

What is my 29<sup>th</sup> June 2001 letter asking for routine disclosure if it is not 'The little list' to which the Learned Legal Assessor for the College had demanded that day [if nothing but to keep Mr Kirk's sanity]?

Barrister Fenella Morris denied knowledge of it, again before court, before Mr Justice Lloyd Jones, now on appeal to the Court of Appeal. Another futile exercise.

**Gordon Hockey** replied to my request refusing to disclose anything. He was waiting for Ms Norton's third or fourth version statement to be drafted as a back-up charge should the convictions case fail.

New information that year caused the College to withdraw Ms Norton from the hearing all together there being no procedure to return the matters to PI now much material had been found to be incorrect.

- 40 13<sup>th</sup> and 30<sup>th</sup> July 2001 RCVS letters to Ms Norton indicated further statements were sent to the College by her with appreciation given for her new 'material' none ever disclosed to me.
- 41 2<sup>nd</sup> August 2001 RCVS internal memo reveals Ms Tucker obtaining information from Ms Norton that a new a statement drafted by GH for the September trial had not yet been received for her promised signature.
- 42 6<sup>th</sup> Sept 2001 RCVS letter to Ms Norton stated the Preliminary Investigation Committee had decided to refer her complaint to the Disciplinary Committee. But they had informed me on the 21<sup>st</sup> June and her third or fourth statement, none of which were ever released to me, I now find was dated 25th August 2001

### **Ms Wall**

There appears to be little or no disclosure as to how the ownership changed at least 3 times during the night once this 'Sunday emergency, dog over the cliff' was likely to die, the '3 owners' having not been unable to contact their own veterinary surgeon. The ITV Ferret film clarifies the position well, had it not been so mischievously edited.

The above sequence of disclosed letters of some of the 'RCVS enquiry' came to an abrupt halt following suggestions by **Members of Her Majesty's Parliament and the Welsh Assembly** that they could override Home Office regulations to obtain confidential police records when chasing a constituent's misconceived believe I was expected to work a miracle on her dying cat.

Enquiry causes me to believe **David McLean MP** and **John Owen Jones MP** just happened to be 'cherry picked as lay committee members of the Royal College of Veterinary Surgeons as was **Sir John Wood QC** was as RCVS Legal Assessor when, clearly, quite 'unfit for purpose'. Politicians input into my case is worrying and far exceeds what I have so far been prepared to understand or manage to disclose.

### **Convictions list**

On the 18<sup>th</sup> April 2001, it is now disclosed, the Preliminary Investigation Committee were 'minded' to send these convictions, acquired since 1993, before the RCVS Disciplinary Committee to have me removed from the veterinary register.

On 20<sup>th</sup> June 2001 when I was referred to the court for the criminal conviction sheet, acquired from I know not where, had no less than 35 convictions written on it.

Examination confirmed **16 convictions were incorrect, nonexistent or won on appeal**, while the remainder reflected on the statistics specific for the 35 times I had been made to produce my driving documents by South Wales Police, often when about my business.

Since my arriving in Wales, in 1992, to practice I, instead experienced consolidated police harassment, over a period of 10 years, being subjected to around 130 charges brought by the police, 121 of which were later dropped, withdrawn, part heard or won on appeal with little or no compensation.

The 30 odd Judicial Review Applications that followed, including the most trivial of motoring convictions, were all, without exception, trivialised by their Lordships unaware of the 'end game' being played out by the deceitful lawyers employed by the RCVS.

I knew, from past experience, these remaining convictions would be used by the RCVS to prevent my practicing veterinary surgery due to Masonic pressure, even if it meant politicians.

So just where did these lawyers obtain such a distorted and clearly falsified criminal record to go before the June 2001 Preliminary Investigation Committee in order to have me struck off?

It stinks, doesn't it Mr Smith?

What can you do about it when **HM Partnership** already has your hands tied by your oath of allegiance to it, instead of it being to your constituents in the Vale of Glamorgan?

Yours sincerely,

Maurice J Kirk BVSc

Copy to the Conservative Party

**John Smith MP, Labour Member for the Vale of Glamorgan, South Wales, UK.**

**House of Commons**

**Westminster**

3rd March 2009

Dear Mr Smith,                      Your Ref K/20

**Barbara Wilding's False 25<sup>th</sup> February 2009 Sworn Affidavit**

**Abuse of Process**

I am in more difficulties being now in receipt of this late but false document to withhold evidence.

- 1. 14<sup>th</sup> October 1993 letter notified the police of a claim for damages by lawyers requesting disclosure and retention of records for the court hearing **before a civilian jury**.
- 2. In March 1994 police still prevaricated but eventually employed external lawyers who, in turn, refused, in May 1994, to settlement suggestions 'out of court' or disclose previously requested custody related records under the laws of disclosure.



- 3. In Sept 1996 the 1<sup>st</sup> Action, BS614159, including 19 incidents from 1993 to 1995, was lodged
- 4. **30<sup>th</sup> October 1996 police solicitor's letter** to my solicitors emphasised the need to retain police records of the fifty odd incidents now accumulated, later to exceed well over one hundred.
- 5. Paragraph 10 of Barbara Wilding 25<sup>th</sup> Feb 2009 Sworn Affidavit encloses list of, "**documents that remain in existence which are relevant and discloseable in respect of the 19 incidents**".
  - 6. Paragraph 10 of Inspector Sydney Griffiths' 19<sup>th</sup> May 2000 Sworn Affidavit, relied on and referred to by Barbara Wilding to fail to disclose, contrary to law, states there was in existence then two separate police computer systems, CIS and IRIS that logged, "**deals with all crimes in South Wales**" and "**dealing with complaints reports etc**" but nothing there not already disclosed.
  - 7. He and she are both liars if I am to believe information from countless grateful clients from my Barry Veterinary Hospital, over a period of ten years, they working in either as police or as civilian staff in the Barry or Cardiff Police Stations.

8. Other than individual police statements, prepared long after each incident designed only to prosecute, almost the entire list of '**disclosed documents**' submitted by Barbara Wilding are those that were originally served either on the police or on HM Crown Prosecution Service by myself.

9. This is only the 1<sup>st</sup> Action, Mr Smith, there are four more in court waiting, yet to be taken seriously.

It stinks, Mr Smith, doesn't it?

In the light of their continuing conduct of deliberate failed disclosure I am obliged to apply to the County Court, under my November 2008 **Abuse of Process Application**, to call as witnesses those police involved with the hundred odd incidents and apply for a year or two extension to examine them and take witness statements. In the absence of achieving such I must return to court and make application to be able to call an estimated two hundred hostile employees of Barbara Wilding, including her, to give evidence, again on oath but without prior Claimant witness statements served on the defence.

For the protection of the tax payer's fuelled gravy train I will again be refused and the Appeal will be ignored in London just as the ones when **I was refused a civilian jury** or laboured under an **Extended Civil Restraint Order for two years just** to prevent these disclosure applications ever coming to court.

Outstanding, also, are the other South Wales Police related **Abuse of Process Applications** against the Royal College of Veterinary Surgeons. An Emergency lodged RCVS Judicial Review application back in November 2007 took eight months, because of the colour of my skin, to get to court and that has been on appeal to the Court of Appeal since July 2008!

My latest RCVS Chairman, alone, refused application, to allow me to practice veterinary surgery, back in October 2008, is also still buried by **HM Partnership** all ultimately the responsibility of my UK HM Parliamentary representative, your kind self.

Evidence is being forwarded to the Independent Police Complaints Commission, Crown Prosecution Service, Cardiff County Court and Police defence lawyers for their respective shredders.

Our letters, on the other hand, will remain on website, <http://www.kirkflyingvet.com/>, until such time as the HM Cardiff judges have the bottle to have my fully paid up cyber space withdrawn yet again, causing me, again, to go 'off shore' to inform the citizens of the United Kingdom as to just what really goes on in our courts.

Yours sincerely,

Maurice J Kirk BVSc

**John Smith MP, Labour Member for the Vale of Glamorgan, South Wales, UK.**

**House of Commons**

**Westminster**

1<sup>st</sup> March 2009

Dear Mr Smith,            Your Ref k/2002

### **ABUSE of PROCESS**

#### **Summary**

**The South Wales Police face 5 Civil Actions for damages. Barbara Wilding's ordered 25<sup>th</sup> Feb 2009 Sworn Affidavit, re DISCLOSURE, is riddled with deceit and weasel words deliberately avoiding the Management Judge's Order to confirm or deny there has been reasonable 'disclosure' of police created documents for the first 3 Actions. Contrary to Court Orders and my 17 years of repetitive applications for retention of evidence there has been premeditated destruction of evidence, including tapes, custody videos and written documents in the control of Cardiff Crown Prosecution Service, South Wales Police and Welsh courts all conspiring in the routine manoeuvre of 'damage limitation' in order to restrict a Claimant against HM having 'contemporaneous notes' and witnesses.**

Barbara Wilding's sworn affidavit is nearly 8 weeks late and deliberately avoids the 3<sup>rd</sup> Action, the case when retired police inspector struck me across the face and watched while an 18 stone security guard knocked me to the ground from behind, all on court record. Police then substituted and falsified new charge sheets, as was shown to the Recorder of Cardiff Crown Court, withdrawing the original allegation of a simple 'Breach of the Peace' to substitute it for one of 'common assault' on the security guard, 2 months later, obtaining a summary conviction without summonses even being served prior to the shambolic Bridgend Magistrates' hearing.

Mr Smith, I will highlight examples of criminal conduct from the lady's limited affidavit:

## **1<sup>st</sup> Action BS614519-MC65**

### **Para 16 (18.20)**

I am attacked by a man wielding a big stick as he tries to gain entry to my veterinary hospital. I had just been released from hospital from his previous attacks, one pushing me down the stairs in front of police. I was never asked to give evidence for any incident, one including arson and police were again called for this most recent event but, again, the affidavit denies it.

### **Para 18 (8.23) Denial there was an incident and court case**

An aborted part heard Barry magistrates hearing for no MOT on a foreign car was stopped due to police perjury.

She writes, "**However, it has not been possible for any officer or member of police staff to identify any documents relating to the matters alleged by the claimant**".

This, despite the fact I gave her copies of part of their own 9 month surveillance 'audit trail' caused by her vast team of staff repeatedly communicating with the Guernsey and Jersey Authorities, desperate to prosecute to stop my obtaining insurance cover. Despite my identifying the prosecution exhibits used in court against me and named the police officers involved. I cannot release court tape recordings as, apparently, they are not allowed in civil proceedings. Would you like to hear them before they go on web site?

### **Para 19 (8.26) Denial there was an incident**

Lawful Eviction of Suspected Drug Dealers from my Cardiff surgery flat.

The police break in to my surgery with sledge hammer and crow bar and re install the daughter of their South Wales Police Inspector despite my complaints of suspected drug dealing and extensive criminal damage.

She writes, "**I can also confirm that the enquiries that have been conducted on behalf of the defendant have recovered no documents in respect of this alleged incident**"

Almost, Mr Smith, the exact same weasel words used by Royal College of Veterinary Surgeons to unlawfully retain the very same class of documentation, 'under each defendant's respective control', called 'contemporaneous notes' of the alleged incident(s) relied on for any fair trial.

Barbara Wilding has been given dates and names sufficient to hand over the police record.

## **2<sup>nd</sup> Action CF101741**

### **Para 23-26 (5.1) Denial there was an incident and court case**

Barbara Wilding's continuing narrative states that witnesses of both CPS and police say, "**he has no recollection of the incident**" of a disruptive and noisy magistrates hearing which included a hoard of police storming the building following my arrest of Mr Sofa, HM Crown Prosecution Service prosecutor, being caught red handed perverting the course of justice.

I had been prosecuted for speeding through St Nicholas, Vale of Glamorgan, despite the police having a clear photograph of Kevin, my employee, as the driver at the time and also having been notified by me, in writing, Kevin's current address.

You must, Mr Smith, always let these day to day HM conspiracies run their course in court, sufficient for a Crown Court Appeal and audit trail for witnesses to be available, later, for subsequent civil action.

I have never managed to get the IPCC, their predecessors, HMCS, HMCPs, Information Commissioner or any outside police force to instigate a public enquiry or Judicial Review in the Royal Courts of Justice. Many of my magistrates and Cardiff Crown Court hearings have been deliberately cut short by the presiding judges for no other reason but to protect their lucrative but iniquitous **HM Partnership**.

Not one Crown Court Judge or magistrate has lifted a single finger to comment or have either police or HMCPs investigated due, I suspect, to their oath of allegiance to 'HM'.

This is the very same tactic used by the RCVS preventing a court hearing, contrary to 2004 statute, for me to practice veterinary surgery because each hearing is slowly winking out the truth and wicked conduct of the lawyers behind my 2002 trial for the complainants, the South Wales Police, to have me struck off the veterinary register for life.

In these 2 Barry Magistrates court incidents, with the subsequent arrest of the CPS prosecutor, following his perversion of justice and my written demands the file be retained for independent police investigation not be shredded, you must understand it was but a routine manoeuvre for my secretary, this then my 6<sup>th</sup> year of sustained welsh police harassment, to both record and write to the relevant departments?

Having been subjected to invincible prejudice for so long I am in some difficulties now in avoiding causing some real damage to the name of 'welsh law and order'.

As for this so called 'sworn' document of truth I have concluded that it is not what is 'in' her 'sworn affidavit' that matters a toss, it is what she has deliberately left 'out'.

What about the 40 odd police logged incident [occurrence] numbers, the police continue to ignore, all relating to these 5 Actions, needing to be identified before specific disclosure can be addressed for specific prosecution witnesses?

If you examined her enclosed May 2000 'sworn' affidavit of Inspector Griffiths, the officer 'investigating' and making 'enquiries', you may note he has omitted to address any of the serious issues raised in the above paragraphs other than to confirm records, such as my arrest of the CPS prosecutor, were all shredded within 2 years of any incident.

Politicians of all parties are regularly accused of such tactics but as with the Royal Chartered Royal College of Veterinary Surgeons with its guaranteed favouritism in a British court, as with Members of Parliament they and their agents enjoy 'absolute privilege'. Barbara Wilding definitely does not.

So, as I said to the inspector, do you intend arresting Ms Wilding for this flagrant deceit or do we have to do it ourselves?

Yours sincerely,

Maurice J Kirk BVSc

Enclosed: one copy of 25<sup>th</sup> February 2009 Sworn Affidavit by Chief of South Wales Police

Copy to <http://www.kirkflyingvet.com/>

**Clarence House,**

**London SW1A1 BA**

27<sup>th</sup> February 2009

Your reference: 16<sup>th</sup> February 2009 letter.

Dear Mrs Holloway,

Thank you for your reply and its confidential and constructive content.

I enclose, just by way of record that you are informed, what wickedness has occurred in the Principality since my 10<sup>th</sup> January letter to His Royal Highness, the Prince of Wales.

Yours sincerely,

Maurice J Kirk BVSc

PS Both Grandpa Kirk and Uncle Kirk worked for many, many enjoyable years for the Duchy of Cornwall Estate the latter only leaving the Scilly Isles, as administrator, when a certain past Prime Minister decided to build his holiday home right next door!

John Smith MP, Labour Member for the Vale of Glamorgan, South Wales, UK.

House of Commons

Westminster

26<sup>th</sup> Feb 2009

Dear Mr Smith,

Your Ref k/2002

## **ABUSE of PROCESS**

### **Summary**

**Chief Officer of South Wales Police swears on oath she has not preserved records of 40 odd police numbered incidents including theft, assault, arson, burglary, court cases, police break ins, unlawful stopping of motor vehicles, perjury complaints, the arrest of CPS prosecutor, false imprisonments etc despite, as far back as 1993 when lawyers first pressed for damages, assurances were made CPS and police contemporaneous notes would not be destroyed.**

Chief of Police's Defence solicitors were visited yesterday afternoon to suggest it is long overdue that I speak to Ms Barbara Wilding, the defendant in this case, face to face, now entering its 17<sup>th</sup> year and riddled with deliberate failed disclosure and the destruction of evidence under her control.

25<sup>th</sup> November 2008 Court Order for her sworn affidavit by the 5<sup>th</sup> January 2009 had not materialised.

On leaving the Cardiff solicitor's office I was soon stopped no less than four times by police enquiring into my driving documents or details of the car. I was again ordered to produce an MOT despite my pleadings the vehicle was foreign. On the 4<sup>th</sup> occasion, I had just left a Cardiff police station, having again been told that '**police occurrence [incident] numbers**' are issued for any incident involving the police for either party to refer to later, as to the progress of the respective investigation. My recent reported burglary/ criminal damage could not be 'found' on the police computer, to no one's surprise.

By the time I reached home an e-mail was waiting from the same defence solicitors stating Barbara Wilding had signed the sworn affidavit, dated 26<sup>th</sup> Feb 2009, presumably that very afternoon!

### **Her sworn affidavit denies more than 30 serious incidents ever occurred and include:**

- 1. Numerous arson attacks on my property,
- 2. an assault on me by a raving man, wielding a large stick, causing my Veterinary Hospital staff to ring for the Barry police who attended,
- 3. that Police broke into my Cardiff branch surgery, en masse, using a sledge hammer and crow bar following my arrest and re installing a police inspector's daughter into my flat above despite my naming the drug dealer tenant, Gaphael and police inspector's name etc.,
- 4. a Barry court case ever happened when police photos were used as prosecution exhibits, reporting me for my much featured court case veterinary ambulance, once again, for having no MOT, there having been months of police surveillance on this foreign vehicle as Barry police correspondence with Guernsey police and car registration department confirms and despite copy of their own letters being submitted to them, naming policemen, only recently to 'jog the memory' for this significant but predicted further wicked bit of nonsense from the welsh police,

- 5. countless stoppings on the road to make me do breath test , disclose my insurance company or rectification certificates being issued {made to produce driving documents 35 times during period of harassment},
- 6. I was attacked and thrown down the stairs of my own house in the sight and hearing of police and my wife, ambulance called, the man being arrested, detained and purportedly appeared in Barry Magistrates next day when other charges were disposed of. Even a letter of concern from Mr Walter Sweeney MP to the police, at the time is admitted, as still being in existence,
- 7. the excessive repeated vandalism ,setting fire to and smashing windows to my home witnessed and reported to Barry police with statements taken from numerous witnesses,
  - 8. of the theft of my very much court case featured BMW motorcycle, in numerous previous incidents, arrested for the theft of my own bike, for example and jailed in Cardiff prison when it had to be a client, a policeman with a Rottweiler, of my veterinary hospital to tip me off as to whereabouts the police had had it all the time I had been looking,
  - 9. **Barbara Wilding admits** that all relevant police and Crown Court records of one court case were destroyed despite the case collapsing when proof the police had had the photograph and correct name and address of the real driver, my employee, all the time, my arrest of the CPS prosecutor, in the court, being conveniently also air brushed from the record, with the police sergeant, called following my citizen's arrest, also denying full knowledge of the incident,
- 10. **Barbara Wilding deliberately avoids my specific repetitive application on 40 specific police numbered incidents indicating , for the court action, they are non existent**

(This list is not exhaustive)

**This Abuse of Process is ultimately the responsibility for my MP or Mr Brown?**

**The Chief of Police relies heavily, in the 25<sup>th</sup> Feb 2009 sworn affidavit, on the police response to my circa 1993-1995 requests for disclosure and preservation of police records. Police Inspector Griffiths' 19<sup>th</sup> May 2000 statement, only now released, confirms any police record for most of the above incidents were all deliberately destroyed and the HM Attorney General refuses to disclose the court record/tapes of this very argument for preservation going on in the 90s court hearings, now under his control due to the collection of some 200 court files in 2003 (See leaked HM Internal Memos).**

**My lawyers were assured retention of police records as far back as damages were first claimed, 1993, with reminders every year, as example, Judge's Orders and letter of 2002.**

Which is it, Mr Smith, Section 3 or Section 4 of the Fraud Act for this flagrant liar and when is it, most appropriate, to take the 'law' into one's own hands in the Vale of Glamorgan?

Yours sincerely,

Maurice J Kirk BVSc

Copy to: <http://www.kirkflyingvert.com/>

**Ps (I omitted the 18 exhibits in my 13<sup>th</sup> Feb 2009 27 page letter to you as I wait for a Court Order to make the Royal College of Veterinary Surgeons release the 2002 court transcript and the unlawful communications with the South Wales Police to have me struck off )**

## **Extract of Fraud Act 2006**

### **Section 3: Fraud by failing to disclose information**

18. Section 3 makes it an offence to commit fraud by failing to disclose information to another person where there is a legal duty to disclose the information. A legal duty to disclose information may include duties under oral contracts as well as written contracts. The concept of "legal duty" is explained in the Law Commission's Report on *Fraud*, which said at paragraphs 7.28 and 7.29:

"7.28 ...Such a duty may derive from statute (such as the provisions governing company prospectuses), from the fact that the transaction in question is one of the utmost good faith (such as a contract of insurance), from the express or implied terms of a contract, from the custom of a particular trade or market, or from the existence of a fiduciary relationship between the parties (such as that of agent and principal).

7.29 For this purpose there is a legal duty to disclose information not only if the defendant's failure to disclose it gives the victim a cause of action for damages, but also if the law gives the victim a right to set aside any change in his or her legal position to which he or she may consent as a result of the non-disclosure. For

*These notes refer to the Fraud Act 2006 (c.35)*

*which received Royal Assent on 8 November 2006*

4

example, a person in a fiduciary position has a duty to disclose material information when entering into a contract with his or her beneficiary, in the sense that a failure to



make such disclosure will entitle the beneficiary to rescind the contract and to reclaim any property transferred under it."

19. For example, the failure of a solicitor to share vital information with a client within the context of their work relationship, in order to perpetrate a fraud upon that client, would be covered by this section. Similarly, an offence could be committed under this section if a person intentionally failed to disclose information relating to his heart condition when making an application for life insurance.

#### **Section 4: Fraud by abuse of position**

20. Section 4 makes it an offence to commit a fraud by dishonestly abusing one's position. It applies in situations where the defendant has been put in a privileged position, and by virtue of this position is expected to safeguard another's financial interests or not act against those interests. The Law Commission explain the meaning of "position" at paragraph 7.38:

"7.38 The necessary relationship will be present between trustee and beneficiary, director and company, professional person and client, agent and principal, employee and employer, or between partners. It may arise otherwise, for example within a family, or in the context of voluntary work, or in any context where the parties are not at arm's length. In nearly all cases where it arises, it will be recognised by the civil law as importing fiduciary duties, and any relationship that is so recognised will suffice. We see no reason, however, why the existence of such duties should be essential. This does not of course mean that it would be entirely a matter for the factfinders whether the necessary relationship exists. The question whether the particular facts alleged can properly be described as giving rise to that relationship will be an issue capable of being ruled upon by the judge and, if the case goes to the jury, of being the subject of directions."

21. The term "abuse" is not limited by a definition, because it is intended to cover a wide range of conduct. Moreover *subsection (2)* makes clear that the offence can be committed by omission as well as by positive action. For example, an employee who fails to take up the chance of a crucial contract in order that an associate or rival company can take it up instead at the expense of the employer, commits an offence under this section.

22. An employee of a software company who uses his position to clone software products with the intention of selling the products on would commit an offence under this section.

23. Another example covered by this section is where a person who is employed to care for an elderly or disabled person has access to that person's bank account and abuses his position by transferring funds to invest in a high-risk business venture of his own.

**FAO John Smith MP**  
28<sup>th</sup> January 2009

[www.kirkflyingvet.com](http://www.kirkflyingvet.com)

**Barbara Wilding**

1. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not break into my veterinary surgery with a crow bar and sledge hammer and put back the daughter of one of their inspectors in the overhead flat with a local drug dealer NOR DOES SHE HAVE KNOWLEDGE OF THE INCIDENT.

2. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not take a statement from Christopher Paul Ebbs who informed Special Branch I had been smuggling pigs into the Vale of Glamorgan from Eire in my 2 seat Piper aircraft leading to a memorable court case.

3. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not leave my confiscated BMW for 6 weeks, on the road side and un locked, with Immobilon drug on the back seat sufficient to kill a three figure number of the general public passing through the Vale of Glamorgan.

4. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not arrange the theft of my veterinary ambulance nor did they prosecute me in Barry magistrates on this foreign vehicle for 'no MOT or road fund tax' and saying, "there was no court case" NOR DOES SHE HAVE KNOWLEDGE OF THE INCIDENTS.

5. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is even going lie that her police did not arrange unlawful recording, whilst under cross examination, causing the jury to object, more than once but blocking my Crown Court trial to be dead in the water.

6. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not have record, for CPR court disclosure, of some 40 other odd incidents against me and my veterinary staff, most carrying police 'occurrence' numbers, their letters always inviting me to quote their reference when communicating with the South Wales Police NOR DOES SHE HAVE ANY KNOWLEDGE OF THE INCIDENTS.

7. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not know who I was when they appeared to persuade Cardiff Magistrates to my being remanded to Cardiff prison until some passing pigeon 'recognised me' NOR DOES SHE HAVE KNOWLEDGE OF THE INCIDENT.

8. Today I am informed the Chief Officer of South Wales Police, Ms Barbara Wilding, is to sign a sworn affidavit that her police did not conduct a campaign of harassment, leading to my having to present my valid driving documents 35 times, almost all harassment ceasing the very day, 29<sup>th</sup> May 2002, 10 years later, my name was removed from the veterinary register following their direct complaint to the Royal College of Veterinary Surgeons just coinciding with well over 100 failed police prosecutions despite the stench of our current UK judicial system, NOT INDEPENDANT but controlled by HM Attorney General and HM Government. Oh yes, I almost forgot, NOR DOES SHE HAVE KNOWLEDGE OF MANY OF THOSE INCIDENTS EITHER but her planned retirement before we go to court, without a jury, is unlikely to deter the issuing of a witness summons along with an estimated 3 figure number.

Today I was also informed I am to pay the costs of my application for above **disclosure** should I lose the trial in some year hence and I 'appear' to be out of time to appeal it despite the draft court order never being agreed so I am yet to receive a 'sealed order' upon which to appeal.

The complainant wishes to make an allegation of Fraud against Chief Constable WILDING. This is in relation to a signed affidavit served on the complaint, which he says is false.

The complainant has requested a meeting with the Chief Constable, which has been declined by Chief Inspector SMART.

South Wales Police 27th Feb 2009 record purportedly bound for the Independant Police Complaints Commission, another big joke

**From Mr KIRK:**

"I have been trying to get a response from South Wales Police for over 40 occurrence numbers, identified on Police letters referring to specific incidents of complaint over a period of 17 years"

"I RELY ON THE CONTENT OF MY LETTER TO CLARENCE HOUSE DATED 26.02.2009, IN REPLY TO A LETTER ON BEHALF OF THE PRINCE OF WALES DATED 16.02.2009.

TO SUPPORT MY BRIEF INFORMATION, PARAGRAPH BY PARAGRAPH OF THE SWORN AFIDAVIT IN QUESTION, THE POLICE REFUSE TO ACKNOWLEDGE OR REPLY TO MY COMPLAINTS LISTED.

THESE INCIDENT NUMBERS I WAS PROMISED BY THE POLICE WOULD BE THE REFERENCE FOR ANY INVESTIGATION TO BE CARRIED OUT AND THEY ARE NEEDED FOR CURRENT LITIGATION IN THE CIVIL COURTS.

I ALSO WISH TO COMPLAIN ABOUT THE OFFICER TAKING THIS COMPLAINT AS HE REFUSES TO ALLOW ME TO MAKE A WRITTEN STATEMENT OF THE FACTS CONTAINED WITH THE AVIDAVIT.

**[To the new blogger on this site I must explain. All my court actions in the past 15 years have been spirited up/down to the HM Attorney General, his team of Whitehall lawyers and defendants interrogated, in order to prevent my disclosure application being heard. The RCVS/SWP/HO 'relationship' all relies now on Section 42 'legal professional privilege'! HM Attorney General and HM Government are, we are repeatedly told, independent of HM Court Service and HM judges nor could they influence the 1967 RCVS Royal Charter despite admission by the RCVS it is, in itself, in clear breach of the farcical 1998 Human Rights Act]**

### **Royal College of Veterinary Surgeon's Terminological Inexactitude**

I am having to come back from Brittany early just to trawl through the legal arena, yet again, to try and find another barrister, having just found out, lawyers proposing to act on my behalf at the Court of Appeal, now refuse. OVER THIRTY law firms, specialising in police harassment cases, have now backed down.

Meanwhile one supporter sent me this:

The primary duty of the police has always been to "keep the King's [or Queen's] peace". That means keeping the lid on embarrassing things and explains why people lie, cheat, steal and even murder with immunity--they're allowed to by clauses like the one in the RCVS charter. Irresponsibility runs through the entire culture and has done so for centuries. Cleaning out the Augean stables was child's play.

Draft 70% complete

## **Barrister Brief for Court of Appeal 20<sup>th</sup> December 2008**

### **Maurice Kirk v Royal College of Veterinary Surgeons**

**I have been refused re instatement to 'practice veterinary surgery' six times contrary to Articles 1, 6, 8 and 10 of The European Convention of Human Rights and Fundamental Freedoms**

#### **Summary**

- **1. 1967 RCVS Royal Charter and HM Judge's Oath** to Her Majesty demands favouritism to RCVS and their agents. This outrage is a breach of Human Rights Act 1998, even admitted by RCVS and must be exterminated.
  
- **2. 2002 Original RCVS Tribunal Hearing**, following a complaint by the South Wales Police.

**Charge 1.** 11 convictions over 10 years. 5 minor motoring, 3 common assaults and 3 of public order.

#### Common Assault Convictions:

1994. Catching a thief by the arm in my own house with medical evidence, relied on originally to prosecute but following cross examination of their only witness, the claimant for monetary compensation, the evidence mysteriously became 'unavailable'.

1997. Evidence from Christopher Paul Ebbs, alone, a compulsive liar with extended mental health and criminal history.

1997. Despite prosecution barrister informing the RCVS case should never have come to court, Mr Kirk having been first struck across the face by a recently retired South Wales Police inspector, Howard Davis and knocked to the ground by a security guard bigger, than himself. CPS Switched BOP 'charge', months later, to assault!

**Verdict:** Name removed from veterinary register.

#### **Charge 2.** 'Unprofessional Conduct'.

Incident involved 2 dogs purportedly fallen over a cliff. In reality the police had failed to call me for 90 + minutes my arriving at the scene within 17 minutes of the call to witness, in my clinical opinion, criminal negligence by others, all later identified, when presented with a dying dog having a neglected suppurating and bleeding tumour, almost the size of a cricket ball, in the angle of her mouth. The RCVS took the view my refusal to divulge confidential client/criminal information to the gathering crowd, as I tried to struggle carry a large dog across the stones of the beach to my veterinary hospital, was unprofessional.

**Verdict:** 6 month suspension.

Throughout the trial, ending on 29<sup>th</sup> May 2002:

**a.** I was refused 'witnesses of fact', including any investigating police, investigating RCVS staff or external lawyers, complainants or eye witnesses of any of the convictions being considered.

**b.** I was refused any information on **how evidence was gathered, by whom and why and when?**

**c.** I have been refused any of the '**contemporaneous record**' of that enquiry (even evidence gathered from my own veterinary hospital clients). The South Wales Police was the complainant in 2001, to have my name removed from the veterinary register, having just lost 121 criminal prosecutions against me exposing their widespread perjury and perversion of justice with not a finger raised by the series of judges in the courts.

**d.** Favourable witness statements were withheld and some altered and served on me as originals.

**e.** Witnesses tendered by the RCVS had fictitious addresses and could therefore not be contacted for the trial.

f. The RCVS 'cherry picked' a van full of hostile policemen to be my 'defence' witnesses my only to being informed of their presence in the building as they were due to enter the witness box! The Court of Appeal had already refused them the right to give evidence following my failed appeal to serve any witness summonses.

g. The QC, Alison Foster, for the prosecution, repeatedly deceived the court on facts.

h. The Legal Assessor, Sir John Wood, was clearly medically unfit to conduct his responsibilities in ensuring the trial was conducted in a lawful manner.

i. The Legal Assessor demanded I disclose to the prosecution team the full content of my proposed defence evidence by identifying my witnesses and their information even before the defence case was opened. He then refused any of them to give evidence even those not requiring witness summonses or had not indicated they would attend voluntarily.

**Privy Council Appeal, 19<sup>th</sup> January 2004, Verdict:** Dismissed with costs exceeding £66,000.

•a. The first 4 hearings from January 2003 onwards were my applications for **disclosure** of witness evidence. Each time the college QC informed their Lordships all relevant evidence had been disclosed prior to the trial. This was again proved incorrect in that later, in 2003, witness statements in my favour, one from a magistrate and significantly different to the one served on me before the trial, were 'disclosed' but far too late for the politics in all this scandal to prevail. It further proved there must have been interviews and notes taken when my clients were gathered up by the RCVS in various buildings around Cardiff, several times in 2001.

•b. Since the appeal the RCVS now admit there are contemporaneous records of potential and used witnesses interviewed by the RCVS staff and external lawyers but they are deemed as 'privileged' between their client, the South Wales Police, and my own veterinary clients now, apparently, clients for the college! Where are all the Law Society Contracts for all this?

•c. The PC Judgment is particularly significant in that my veterinary expertise was never considered in doubt and that their Lordships indicated their 'hope' I would be re instated to the register by November of the very same year. So why was I not just suspended?

**The RCVS maintain I was rendered 'unfit to practice veterinary surgery for each conviction' while the Judicial Committee ruled, in June 2004, I had been struck off for the 'cumulative effect of all the convictions'.**

**In January 2008 Magistrates quashed one of the convictions relied on by the RCVS following wrong information from my confidential police files shown to the RCVS investigation team when records. Police knew they were knowingly incorrect.**

**The November 08 Disclosure Order on the South Wales Police, following my 10 years attempting an 'Abuse of Process Application', currently being heard in Cardiff Civil Court, will disclose, if not blocked again by HM Attorney General, further information relating to the unlawful conduct of the respective defendants.**

**[5 Civil Actions for harassment damages against the South Wales Police, the first lodged 16 years ago, following 121 charges lost by the police, numerous imprisonments after countless court cases and involving some 100 + other incidents of alleged harassment 'too document heavy' for a trial by jury.**

- 3. I am refused any information on **how evidence was gathered, by whom and for why?** No **'contemporaneous record'** of that enquiry, for the charges (even from my own veterinary hospital clients) have been disclosed. [South Wales Police was complainant to have my name removed from the veterinary register having just lost 121 criminal prosecutions suggesting unlawful conduct, hence the **HM Partnership** conspiracy to prevent disclosure 'at all costs'.
- 4. HM Privy Council 19<sup>th</sup> Jan 2004 Judgment, in my appeal, is a breach of ECHR Article 8 re 'private life' when Lord Hoffman stated, in effect, I had 'special responsibilities' in society even in my private life. **This abuse may apply to all professions.** RCVS rely on this abuse today refusing me re instatement.
- 5. My **Abuse of Process Application** is being blocked, re **'Vexatious Litigant'** Enquiry by HM Attorney General and HM Home Secretary's department, admitted in court by Government on 31st Oct 08 to be ongoing.
- 6. I am refused a **'Trial by Jury'** at Court of Appeal in South Wales Police 16 year ongoing case compensation. Police disclosed wrong confidential police records to college staff and their outside lawyers, contrary to Home Office Regulations 45/1987.
- 7. Ever since the RCVS have refused **'Disclosure'** of their gathered evidence despite assurances in court, time and time again, that it would. Apparently disclosure will occur once I am re instated. Police, in Nov 08, now ordered to swear affidavit they have fully disclosed evidence relevant to 3 of the 5 Civil Actions lodged for police harassment.

**Reinstatement to practice veterinary surgery** An Application can only be repeated every 10 months. There have been 6 refusals so far with a different procedure each time, almost the same jury each time and specific demands to which I must agree, if I am ever to be allowed membership, never metered out before.

**1. Oct/Nov 04 Application** was refused without a tribunal decision leading to 1<sup>st</sup> Judicial Review Application conducted ex parte later for me to be told the 2<sup>nd</sup> application would be listed in 2005

**2. 6<sup>th</sup> January 05 Application Hearing** was before the tribunal with a decision that, although all requirements for re instatement had been complied with, due to my apparent recent change in attitude re instatement was refused. April JR application led to 9 both 4<sup>th</sup> and 5<sup>th</sup> application refusals JR applications on paper being heard in open court in July 2005 with £12,000 costs awarded, not even questioned or taxed as to how it had arisen. The Judge admitted he had not and did not need to read the lodged papers of both parties for both JRs.

**3. Nov 05 Application Hearing** refused led to a 27<sup>th</sup> Jan 06 JR Application when an Extended Civil Restraint Order was handed down following an application by the RCVS. This ECRO blocked outstanding disclosure applications needed for each Re instatement Application.

**4. October 06 Application Hearing** was refused following refusal of an adjournment to call character witnesses blocked by a telephone call to the Cardiff judge by the RCVS to block the issuing of witness summonses. RCVS used the excuse the ECRO prevented the issuing of witness summonses despite the court being told the office lawyer in the Royal Courts of Justice could possibly arrange the temporary lifting of the ECRO in order that evidence could be available.

**5. September 07 Application** was refused by the chairman of the tribunal alone and without legal advice, removing my name from the court list, for the following week, stating that as I had raised irrelevant issues, my application to call character witnesses, there was little likelihood of my being successful. This led to a JR Application that was refused. It is currently lodged with the Court of Appeal for leave.

**6. October 08 Application** was refused by the chairman alone with a letter of legal advice from the current Legal Assessor. I was given until the 30<sup>th</sup> September 08 to tender information in my application I was supposed to second guess in order for the same chairman as the year before may be minded to list the application for a hearing before the tribunal. A JR Application is currently being prepared.



## Suggested Extra Reading

- 1. Original transcript in Word/PDF. RCVS refuse to release, used by their lawyers for each Re Instatement application, for fear it will straight on to <http://www.kirkflyingvet.com/> for the whole world to decide, if interested.
- 2. Privy Council Judgment(s) [ 7 hearings, 5 for failed disclosure and 2 for taxing of costs]
- 3. 6 RCVS files/demands and their submissions on each re instatement application
- 4. 6 JR Orders and transcripts/directions
- 5. Leaked HM Attorney General etc. internal memos.
- 6. Disclosure obtained from 8 currently running cases in civil courts.
- 7. Disclosure obtained from pending criminal court.

## The 'Balance of Probabilities'

Whilst we all know both the RCVS and South Wales Police will succeed in failing to reveal proper disclosure, contrary to law, due to the current politics of our UK judicial system, it is just how they have managed between them to have me struck of the veterinary register in such unique circumstances and continue to prevent my re instatement, contrary to their Lordship's apparent wishes, needs to be made public across the world. Who's turn is it next if they are allowed to get away with it?

Based on the 'balance of probabilities' if we are allowed to examine what they have done, in past disciplinary hearings before my May 2002 departure from my profession and since with other applicants, I am confident in the outcome. Alas, the RCVS Registrar refuses to disclose such material.

The RCVS will **not allow reinstatement** is nothing whatever to do with my apparent demeanour as court record alone will confirm. I have complied to their ever changing demands, following each JR Applications. It has been admitted by college members that should I be re instated as a member of the profession then their ability to continue in refusing **disclosure** will become untenable, should I become elected on to the Council.

Legal advice informs me the RCVS are Charter immune to awarding compensation.

50% completed but is these are the main bones of contention before meeting. I am about to fly to South Africa in my cub so hit me with the list below or try bush telegraph and buy some drums !

Best Regards,

Maurice J Kirk BVSc

**CONTACT Tel +441446792109 Mobile 07966523940 [maurice@kirkflyingvet.com](mailto:maurice@kirkflyingvet.com)**

John Smith MP, Labour Member for the Vale of Glamorgan, South Wales, UK.

House of Commons

Westminster

13<sup>th</sup> Feb 2009

Dear Mr Smith,

## **ABUSE of PROCESS**

### **Summary**

**Exhibit 11. This was my repeat application before the 2002 RCVS Disciplinary Committee for 'disclosure' of evidence, as laid down by 1966 Veterinary Surgeons Act and Paras. 7/8 Statutory Instrument 2004 No.1680, [Exhibit 16] asking as to just how, who, what, when, where and why obtained the contemporaneous notes of evidence and recorded witness statements necessary for consideration of a prosecution to remove my name from the veterinary register (for life)?**

**No RCVS lawyer, until November 2006 [Exhibit 6], referred to 'legal professional privilege' (absolute) as their excuse for failure to disclose the 2001/2002 years of enquiry record when different RCVS Legal Assessor 'advised' the RCVS Disciplinary Committee there must be proper 'disclosure'. There has been no 'disclosure', at all, since the hearing.**

**RCVS lawyers have repeatedly stated before seven RCVS Disciplinary Committees, countless High Court Judges and seven Privy Council Courts in Downing Street, saying, each time, "There is no undisclosed evidence". Even Lord Hutton's ruling, [Exhibit 15] in January 2003, that there were to be 'undertakings' assured by the RCVS lawyers to make full 'disclosure' of original evidence, before my 19<sup>th</sup> January 2004 Appeal, was treated with similar contempt.**

**This withheld 'disclosure' of evidence included what was before the 20th June 2003 Preliminary Investigation Committee to have caused the order for a disciplinary hearing in the first place! [Exhibit 3, RCVS Internal Memo].**

**The 2002 RCVS Chairman, Brian Jennings, said, Line C, [Exhibit 11] in reply to my request, under Article 6 of ECHR Convention and 1989 Human Rights Act,:**

**"The Legal Assessor says you are not allowed to know that"**

**This was uttered in the full face of the court and before the then President of the Royal College, Roger Eddy, who had earlier sat on the Preliminary Investigation Committee to have me prosecuted. He put his signature to the drafted para.7/8 Statutory Instrument 2004 No.1680, [Exhibit 16]. He announced to the media, on 29<sup>th</sup> May 2002, that there had been a fair trial.**

**Also in court were three college, two external and two Queen's Council lawyers all of whom remained silent, on the matter of this 'refused disclosure', throughout the four month trial knowing, every day, the court was being conducted in an unlawful manner. RCVS lawyers falsified witness statements, hiding my own clients from giving evidence, refusing me any 'witnesses of fact' and knowing the Legal Assessor's job was completely independent and only to 'advise' either party, not to 'order'.**

**The prosecution legal team were even so bold, under 'HM immunity' to prosecution, to 'represent' the Legal Assessor at the 2002 Court of Appeal to again block service of summonses on relevant witnesses, the evidence from whom would, also, have further uncovered the conspiracy between the South Wales Police and RCVS enquiry team that operated across South Wales.**

**Recent admission by HM Treasury Solicitor causes me to include the HM Attorney General's name to these years of 'Abuse of Process' started shortly after my arrival, in 1991, to practice veterinary surgery in the Principality of Wales.**

**Due to obvious medical reasons this retired High Court Judge, employed by the same RCVS lawyers, to be Legal Assessor, was unfortunately, see official transcript, clearly 'unfit for purpose' to ensure that court proceedings were conducted in a lawful manner.**

**Her Majesty's Privy Council was Statutory and 'HM' power to cause an enquiry.**

**This Abuse of Process is ultimately the responsibility of Parliament.**

### **HM Conundrum**

Further to our constructive meeting and my 4<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> Feb letters on this matter let us first 'knock on the head' this long running 'All British' fraudulent nonsense of 'HM' and the perpetual apparent injustice to Her Majesty the Queen, [ **Exhibit 1.**] RCVS 1967 Royal Charter extract.

Respective UK Governments of any colour, with monotonous regularity, hide behind the title 'HM' especially when "there's trouble at mill" and things are not going so well. This is exactly what is going on in our courts right now and it is for MPs to take this new surge of complaint, around the United Kingdom, more seriously.

Numerous 'HM' Institutions, such as Inland Revenue, the judiciary, including the Privy Council, parliamentary watch dogs such as the Attorney General and Information Commissioner for the 1966 Data Protection Act, Royal Chartered organisations such as the Royal College of Veterinary surgeons and those of the medical professions have, with my personal experience, ALL hidden behind the pleated skirts crying "'Her Majesty's Prerogative'" for immunity from prosecution.

'HM' function, whether it is to gather taxes, manage that man made concept called 'justice' or simply to control those in positions of privilege, like lawyers, judges, is your responsibility when it goes wrong.

Our 'wonderful Queen', as we are given to believe, is the 'Titular Head of Government' and 'Constitutional Monarch', there to protect us from the nefarious conduct of others and it is on this fraudulent concept and **abuse of process** which my grievance is based.

'HM' is Government.

Daily 'HM' impropriety, anywhere in Great Britain, Channel Islands included, is the responsibility of the currently elected Government and the whole of Parliament.

The UK judiciary is no more independent of Government than is the Privy Council or any other Freemason dominated organisation. The Privy Council, for example, by statue has the power to intervene in the conduct of the Royal College of Veterinary Surgeons, South Wales Police and HM Attorney General current conduct but chose, time and time again to 'turn a blind eye' for fear of opening up a 'can of worms' and for fear of what else they may find?

I enclose a statement from your Justice Ministry in the writings of another disillusioned citizen, another 'litigant in person', no doubt, also unable to get independent legal representation.

Britain's freedom has meant a great deal to the freedom of people everywhere. Britain's freedom in peril places the freedom of people everywhere in peril.

We now face the takeover of British laws and liberties by the European Union. A feckless Parliament, unresponsive to the people, has allowed this to happen.

Consequently I've been engaged in correspondence with Her Majesty The Queen, our Constitutional Monarch. My concern is that The Queen has not been acting as a constitutional safeguard against unlawful and undemocratic power. To serve as that safeguard is the Sovereign's primary responsibility according to the Coronation Oath.

The Queen explicitly acknowledged her role in 1964 -

"The role of a Constitutional Monarch is to personify the democratic state, to legitimate authority, to assure the legality of its measures and to guarantee the execution of its popular will."

The Queen forwarded my September letter to the Ministry of Justice. The Ministry responded by saying that "The Queen no longer has a political or executive role" and that Parliament, not The Queen, "holds sovereignty".

Since this position subverts [the British Constitution](#), and the people's covenant with their Sovereign, I wrote to The Queen again to ask her when this vital Constitutional change had taken place, and on whose authority.

MR SMITH, the RCVS know they can never risk allowing me back on the veterinary register for fear it will allow my direct access for the withheld disclosure, as a member of the profession, unlawfully withheld from the 2002 trial and ever since.

RCVS's conduct was fraudulent, see Section 3 of the 2006 Fraud Act, for failed disclosure and when they successfully claimed the £66,000 costs for the seven Downing Street hearings, mainly convened for applications for their failed disclosure!

My refused request for the original trial transcript, to be in electronic form was, likewise, was a fraudulent move of the RCVS to obtain money and further costs of £12,000 at the Royal Courts of Justice for my applications for 'character witnesses', 'disclosure' and re instatement, the latter being a wish clearly indicated by the Privy Council Judicial Committee.

## **Disclosure**

### **RCVS and Barbara Wilding, Chief of the South Wales Police**

Sufficient time has now lapsed since that treacherous pantomime in the RCVS building, in 2002, to prove **malfeasance** in just too many other 'HM' departments. Following my Application of the Data Protection and Freedom of Information Acts on the leading culpable parties, the RCVS, HM Attorney General and South Wales Police, all defendants now, for what it is worth, shortly to heard in another if not farcical 'de novo' Judicial Review Application, following the 6<sup>th</sup> refusal from practicing veterinary surgery by one committee member, sitting alone and again, contrary to statute law,

**I enclose the very latest, this week, from both the RCVS and Barbara Wilding, the latter looking for early retirement.**

Extract of 9<sup>th</sup> Feb 2009 police lawyer letter in our 18th year running charade of **failed disclosure**.

Dear Mr Kirk,

**RE: YOURSELF v SOUTH WALES CONSTABULARY - BS614159-MC65, CF101741, CF204141 & 7CF07345**

We are awaiting the return of several signed witness statements on Action 1, namely BS614159-MC65. In the circumstances, we seek your agreement for the parties to delay exchange of witness statements on Action 1 until 27 February 2009. The Court has not yet notified the parties of a trial date and in the circumstances, we are of the view that a delay of several weeks will not prejudice the position of either party. We look forward to hearing from you.....

My similar request for **failed disclosure** to RCVS and their 12th Feb 2009 reply;

11th Feb 2009

FAO

Penningtons of Gutter Street

Dear Sir,

I would be grateful if the RCVS Summary Grounds of Resistance be sent in 'Word' as similar documents have been done in the past.

I do not have the knowledge to convert and some helping me from around the world are unable to open the file.

I wish to refer to a previous RCVS transcript in detail at the JR and with the HM Attorney General beforehand so could that also be sent in 'word', my covering any expences.

Time is of the essence.

Thankyou

Could I have confirmation that College Council is aware of its content and if not, why not?

You know it is riddled with lies.

Maurice J Kirk BVSc

Dear Mr Kirk

I have discussed your e-mail with the College and we do not propose to provide you with further documents or to respond further to such offensive e-mails.

I reserve the right on the College's behalf to refer to your e-mail at any subsequent hearing in the High Court or in front of the College's Disciplinary Committee.

Yours sincerely

MR SMITH I will, now introduce random samples of proof by a few Exhibits to confirm **malfeasance** or as Mr Justice Andrew Collins would say, in the HM Attorney General's 2003 'internal memo' [Exhibit 17] leaked to me, given to you when we met in the House... **"(Tab 28) leads me to suspect that (Kirk) is vexatious in litigation in all possible arenas"**.

Would you like to see some of the other Tabs of Collins J, Mr Smith? Not all in the judiciary, you would see, approve of what is going on.

### **Royal College of Veterinary Surgeons**

The charges against me in 2002 were **A**, relating to two dogs purported to have fallen over a cliff in Cod Knap, Barry and **B**, my criminal convictions, which ones and when decided, is still yet to be disclosed by the RCVS.

#### **Charge A.**

The police could not raise any other veterinary surgeon that 7<sup>th</sup> January 2001 Sunday morning so they had to call me, whether they liked it or not, just home from an arduous task of putting a womb back in an old cow, trapped in a freezing windswept dung pit on Llandough airfield. As I lay in a hot bath, having just washed out the dried blood and excrement from my matted hair and off my torso, I was handed a pheasant sandwich, I think it was and the portable telephone by my wife, Kirstie, to answer a police call and to obtain directions for the emergency.

From the time I received the call at St Donats village to my getting to Barry beach, dressing and drying my hair on the way, with the time being logged by police HQ, it would have taken some pretty clever explaining in a magistrates court, later, to avoid a conviction had it not been apparently overlooked and by a police force so concerned, at the time, with my day by day welfare.

At the scene I found one dog collapsed and moribund, freezing cold and in my opinion, near to death due to hypothermia. From the dog's mouth oozed pus and blood from a neglected infected tumour, almost the size of a cricket ball, making the poor creature unable even to close her mouth.

A few questions to the small gathering of worried members of the general public, at the foot of the cliff, blood and saliva splattered about on the rocks, soon established the fact that this dog had been found well over two hours before. Clearly the reason for the delay in local emergencies was staring me in the face yet again.

Another example of criminal negligence by the local veterinary surgeon and/or his owner. The dog had **not** fallen over any cliff and what I saw disgusted me sufficiently to comment but my client, the South Wales Police, has preferred, ever since, to not even investigate the matter despite their ardour in complaining to the RCVS about me, locate witnesses for them and attend the London courts by the 'van load'.

Speed was of the essence if this dog was to be saved. I had to carry the heavy dog on my own and struggle, with my arthritis caused from numerous hang glider accident not helping, along that boulder strewn beach, you know, with no one even offering to carry my emergency equipment put down part way on the journey.

One quite useless police woman was whimpering in the cold wind crying into a handkerchief while the other, I now realise, was more intent on writing down in his note book, **contemporaneous notes**, including my apparent passing comment of the local RSPCA branch, the iniquitous 'Cardiff Animal Shelter', having put their 'penny worth' in, as well, to cause such unnecessary suffering that day.

. The RSPCA appeared to have been trying to contact their own, once employed, veterinary surgeon not but a 'stone's throw from the incident despite the RSPCA having previously experienced Andrew Thomas relied purely on an indecipherable taped message at weekends for his emergency answering service.

This example, on 24 Hour cover for clients, was just the basis of Felicity Norton's original decision {Exhibit 4} to make a television documentary, she having been unable to contact her own veterinary surgeon on Sunday, as her cat lay dying and having had to rely on a stranger, myself without access to medical records and in such emotional and stressful circumstances.

The Cardiff and District Veterinary Practitioners' Association had been lobbying the RCVS and RSPCA Horsham head office for years on the behaviour of this veterinary surgeon and his apparent irregular relationship with the Cardiff Animal Shelter. Their policy for stray animals was supported by this veterinary surgeon to cause such unnecessary suffering until, thank God, the organisation was forced to close down.

Also in the politics, behind this complaint by the police to have me struck off, was that I had recently discovered £10,000 of rate payers money was being 'donated' each year by Barry police station to the Cardiff Animal Shelter for no apparent reason. When tackled on it I received a letter from Barry police station actually denying it when it clearly featured in the audited accounts!

This concern of mine of the South Wales Police was aroused only because of their daily harassment when about my veterinary business in The Vale. Information was given, unsolicited, by grateful clients employed within the local police force. Some admitted to be freemasons but informed me of other substantial sums of money having been bequeathed to the Cardiff Animal Shelter but appearing to go 'sideways' the Chairman boasting to the Cardiff Veterinary Practitioners' Association of having immunity to investigation by RSPCA head office [or South Wales Police?] as the Shelter only used the RSPCA name to acquire cash from the 'uninformed' general public and were quite 'independent' of Horsham. Déjà vu, Mr Smith?

At the RCVS trial, a year later, I was refused L A Collins, the Barry Police Inspector, who had compiled the complaint, in less than a week, for the college but on cross examination of two police on the beach, one, a PC Mark John, said, apart from the rest of his voluminous erroneous material, notes taken at the scene,

**"we then witnessed KIRK virtually throw the dog in the boot of his car without any care of compassion, he then quickly walked up to Mrs WILLIAMS, took the other dog out of her hands and also put that dog in the boot, and slammed the boot".**

The other police officer, WPC Ceri Western offered a similarly inaccurate but different tale making me wonder just how many have been hanged or just jailed in Wales on police evidence alone?

Her statement, eight months later, specifically written for the RCVS, was quite different to her contemporaneous record and cross examination evidence and included,

**"However, Mr Kirk took no notice of me; he did not even look at me".**

**"I remember him saying forcefully that if he had been called earlier he could have done a lot more and he also referred to taxpayer's money being wasted".**

**"I recall PC John telling them (at the scene) that Mr Kirk's manner was nothing personal towards them but probably caused by Mr Kirk's hatred of the police"**

**"As he went he stumbled on the pebbles. I was afraid he was going to drop the dog".**

**"It was, however, quite hard to keep up with him".**

**"I saw Mr Kirk, when he got to his car, opened the front passenger door and threw the injured dog onto the front passenger seat".**

**"After Mr Kirk had thrown the injured dog into the car he was approached by a woman who was holding another (smaller) dog. I saw him take the smaller dog from the woman and throw it also onto the front passenger seat, onto the injured dog".**

**"After Mr Kirk had succeeded in closing the boot of the car, he got into the driver's seat, started up the engine and reversed with sufficient speed that I and the other public had to jump out of the way".**

A passing Cardiff Magistrate and her retired Head Teacher sister, also Ms Williams, gave a completely different account to that of either police officer. They, I now know, were deliberately dissuaded from the RCVS trial by the prosecution. The RCVS, instead, falsified the ladies' evidence using typed witness statements, purported to be theirs, prepared by Penningtons, Solicitors, deliberately withholding the forgeries until just before trial, far too late for me to trace and interview them. All relevant prosecution evidence gathered, false or otherwise, should have been surrendered 21 days before trial.

The Magistrate and sister on the Barry beach had written a 'contemporaneous note', I found out, again far too late, long after I was struck off and only obtained from the RCVS by instigating the 1966 Data Protection Act Application in the Spring of 2003. The RCVS had already ignored, the January 2003 Privy Council's Order or 'undertakings' to disclose witness evidence.

The contemporaneous note, similar to **Exhibit 2 [4th January 2005 Williams letter to RCVS]**, was stating similar to her letter, **"there was no doubt in my mind that Mr Kirk's concern for the well being of the dog was evident and paramount"** but this, in italics, was deliberately omitted from their statements given to me by the RCVS during the 2002 trial.

[Alison Foster QC had considered with Penningtons and the in house college lawyers whether to remove this part of the ladies two statements and risk attempting to obtain the ladies' confidence by having them



sign the typed up forgeries. Hudson was left to palm them off as copies of original statements approved by both ladies..

The Williams' confirmed I lay the dog carefully on the seat, neither dog put in the boot. They confirmed on how I was pretty 'short' with them when they delayed me by asking if I could write down their names and addresses, they being involved with the 2<sup>nd</sup> stray (not injured) dog. They confirmed I suggested they give details to the police as I had more urgent matters to attend to!

From the beach I left speedily with the dogs, one receiving immediate intravenous and heat therapy with further medication from the nurses later at my veterinary hospital, just one hospital of only four registered in the whole of Wales, opened by your good predecessor.

**What I also did not know in 2002 was that there was little left of the prosecution material that was originally before the Preliminary Investigation Committee to have caused the ordering of this disciplinary hearing in the first place.**

A Felicity Norton, freelance for ITV, had gathered a small 'Armada' of complainants, [Exhibit 3] some relating to me, hoping to do a documentary on '24 hour emergency cover' with the outcome of my trial. The college continues to refuse to elucidate just what happened to these witnesses, the other veterinary surgeons complained of or documented evidence and film footage gathered by the RCVS case workers, including Nicola Tucker, Miss P Butler and many others, originally for the June 2001 Preliminary Investigation Committee. They knew just where safe evidence is usually found, hence the importance of production of contemporaneous notes taken when first confronting a potential witness.

I should have 'smelt a rat' or more, for that matter, before I was confronted by that room full of prosecution lawyers and a QC prancing around in Captain Drake's britches, all gathered just for a simple disciplinary proceedings estimated for two, maybe three days.

In the 'good old days' a lovely, greatly respected solicitor for the college did the lot, well, almost all on his own, a Mr James Watt of Hempsons, Solicitors. But 'money no object' is the RCVS motto, now a days, now it is over run by lawyers determined to rig a lucrative conviction.

Not unlike my experiences, Mr Smith, with the Cardiff HM Crown Prosecution Service, they losing some five Crown Court battles and countless Magistrate hearings, driven by avarice or as Mr Justice Andrew Collins would say in the 2003 HM Attorney General's internal memo, "totally without merit".

I am still attempting an **Extended Civil Restraint Order** High Court Application on the Cardiff CPS to be certified as a '**vexatious litigant**' but still cannot, for some reason, find a lawyer willing to assist. Eighty odd solicitors, 'specialising' in police harassment cases have already refused to sue the South Wales Police, on my behalf, so finding one to take on '**HM**' is likely to be somewhat remote.

In 2001 the RCVS's main, remaining, prosecution witness, Ms Felicity Norton, other than the south Wales Police, was now refusing to stand cross examination on the allegation I had broken 'client confidentiality', '**legal professional privilege**' in any other name!

The RCVS therefore proceeded to 'beef up' all they had left and so served on me, even after proceedings had started the two forged statements, purportedly by the Ms Williams, deliberately omitting the evidence, "**there was no doubt in my mind that Mr Kirk's concern for the well being of the dog was evident and paramount**" or disclosing the ladies' hand written record or even the contemporaneous notes later, we were told, 'all interviewed by a partner of Penningtons, Geoffrey Hudson'. Just more 'porky pies' due to '**HM**' immunity while neither that despicable Law Society and equally avaricious and devious organisation, The Bar Council, have refused to lift a finger to properly investigate such widespread criminal conduct reliant upon '**HM Memorandum of Understanding**' between themselves and the police.

At the Nov 2006 hearing, my 3<sup>rd</sup> Reinstatement Application, the RCVS pleaded, for the first time, '**legal professional privilege**' to hide the favourable evidence. The new RCVS barrister, a Miss Fenella Morris, as did her predecessor, also of 39 Essex Street, also waxed eloquent to maintain that level of voracity we have come to expect, in her line of work, especially if she was to keep her RCVS and Penningtons' lucrative retainers.

During that hearing, my Mackenzie's Friend, Patrick Cullinane Esq. and I finally established how Penningtons had managed to block my 'character witnesses', yet again, from attending court.

I had told the RCVS court, that November, an 'in house' lawyer at the Royal Courts of Justice, Administrative Court, could arrange for Mr Justice Andrew Collins, the manager, to lift his Extended Civil Restraint Order, 'originally obtained by the college on 27th January 2006 to stop 'disclosure' applications for evidence needed for any reinstatement application, like right now.. The ECRO needed lifting so that Cardiff County Court could issue the necessary witness summonses in order for me to obtain 'relevant character witnesses' with their attendance.

BUT Penningtons had telephoned His Honour Judge Higginbottom, without my knowing and persuaded the judge to block the essential witness summonses being issued knowing Mr Brian Jennings would do the very same thing when I repeated the application before the Disciplinary Committee. It had been earlier established but only by my taking the RCVS to the Court of Appeal, that Brian Jennings, no lawyer or veterinary surgeon, had the power to issue or cancel witness summonses, the guy who struck me off. Mr Justice Lloyd Jones, in June 2008, now on 'Appeal' at the Court of Appeal, appeared to rule Jennings and any other Chairman can now list or de list an applicant for a reinstatement hearing, Contrary to 2004 Statute 1680, for the 1966 Veterinary Surgeons Act.

The judge from Wales also appeared to support the contentious issue, if the Court of Appeal upholds the judgment, that any Chairman, in the future, of the RCVS Disciplinary Committee, sitting alone, without legal advice, can now remove the name of a member of the profession from the veterinary register without a public hearing or even before the full committee. There is no statute law to support this unless, which is possible, I am slowly losing my marbles.

[Guernsey did just this with me, back in the 80s, frantically bringing in 'knee jerk' legislation to prevent my housing British workers, the backbone of the summer work force for their tourist industry. They even took me to court on the issue my being dressed in my smart Nazi uniform. It will be a bitter 'sweetie' for me if the outcome is the very same as it has now done to that miserable HM dependant territory, the responsibility of your government.

Brian Jennings' was privy, of course, to the original, now defunct facts that were before the June 2001 Preliminary Investigation Committee and why retention of witnesses and evidence by him and the Registrar must be maintained, whatever the cost, even if it includes the good name of my wife's, late father and uncle's profession.

One has to admire these freemasons, sometimes with their unchecked influence in our society having oozed their way now into all facets of the British judicial system and without a single shot fired. Maybe, President Bush should have directed his energies in that direction as well for the equally dangerous and foreseeable danger, his forerunner, having been my school boy hero with Military Cross, the Honourable Member for Wolverhampton West.

**What the RCVS will not 'come clean' about is that their own case workers interviewed most witness and not one of them was a lawyer pleading but now openly 'legal professional privilege' to flaunt statute law.**

It did not end there, far from it. The Gregson couple, my own clients, see **Exhibit 10**, had made statements also that I never saw and to make sure I could not interview them the RCVS forged false but fictitious

addresses so the Gregsons could not be identified as my own clients! The police, when contacted for help, refused to cooperate when they already had the correct address in the policeman's note book on the beach. After I was struck off I traced the Gregsons and the Williams sisters and with their alarm caused the RCVS to write still further distorted false information, in January 2005, Deputy Registrar, a Mr Brian Hockey, lawyer treating us as if we had all 'just crawled out from under a stone'.

[I paid Mr Hockey an unofficial visit much earlier in any of these proceedings against me because I could not establish the reasons for all this onslaught. I had warned him of what was to come if he did not 'get off my back', we both knowing the police harassment and 21 false imprisonments in Guernsey originated in Taunton, Somerset, in the mid 70s following the ignominious Crown Court trial, where I offered no evidence, surrounding the apparent loss of the Chief Superintendent's note book, he just happening to be Grand Master of some local devil worshipping cult].

If the freemasons ever allow proper disclosure from the RCVS, Mr Smith, you will find barrister, Miss Morris, had yet another one of her 'brief' misunderstandings, she repeated at seven court appearances, arguing 'legal professional privilege' when, as I have said, it was the lay staff of the college and Barry police that mainly took the statements around your constituency of the Vale of Glamorgan while Geoffrey Hudson had his 'cozy chat' and cup of tea with Barbara Wilding's predecessors in your police station.

[Barbara Wilding is aware of my CPR Part 31 disclosure Application on this matter of confidential police files being shown to a third party, without my or other witnesses consent, so hence the reason for her current preparation of a sworn affidavit to be stating, "I have no knowledge of any of the incidents raised by Mr Kirk"]

At the 2002 hearing the Disciplinary Committee ruled I was to be suspended for 6 months for, especially, my 'reluctance to disclose' the medical treatment for the dog(s) on the beach and later treatment in my Veterinary Hospital.

The court record confirms for you to read, **if you can get me one**, Sir John Wood QC, had already refused 'disclosure' of my medical records despite threats at me if I did not disclose, from Brian Jennings, the Chairman, still ringing in the public gallery's ears and noted, incidentally, by a journalist veterinary surgeon extraordinaire.

The lawyers watched the 'Punch and Judy' show with amusement as they thought the last nail in my coffin was finally being hammered down.

Wood, Jennings, the whole Disciplinary Committee and umpteen lawyers present knew or should have known, the original reason for having the hearing from the PI Committee being just this, my breach of, to borrow Fenella's excuse, '**legal professional privilege**'.

But '**The medical records were the property of my client**, the college's client, for withheld disclosure purposes, in this bizarre case, the original complainants, the South Wales Police.

Was I expected to spell it out to them and run the risk of alienation? Was it for me to raise the issue of 'qualified' or 'absolute' privilege preventing evidence to go before the court and if the police were, now confirmed by Barrister Ms Morris, clients of the college lawyers where is the proof of contract set down by the Law Society and when did money change hands, who paid whom and exactly for what?

Delivering the RCV's court verdict and 'brief reasons' I reminded, for the tape, in the presence of Sir John Wood that he had ordered the court the medical records could not be disclosed. I never established exactly why but as the Poet Laureate said in circa 1700

"There is a pleasure sure in being mad that none but mad men know"

Pure Enid Blyton stuff if was not so very serious for one and five other equally culpable lawyers in court all laughing, all the way to the bank, the very same lawyers that are now refusing to say what all this has cost, to date, for the hard working veterinary surgeons out in the field.

So much, Mr Smith, for **'HM' immunity**, don't you think, with our ever expanding legal trade dependant on **'HM Partnership'** and the **'Memorandum of Understanding between Chiefs of Police and the Law Society'**?

At the 19<sup>th</sup> January 2004 Privy Council Appeal, my wife in attendance (to kick me in the shins if I started to repeat myself or be frank, in utter frustration) I asked again for the failed disclosure, there being no no investigation notes at all having been released relating to the charges and as predicted, Alison Foster QC lied yet again and is indicated in the extract of their Lordships deliberations earlier, [Exhibit 15] careful not to embarrass a fellow 'colleague' with the truth.

There is only one truth, a fact I, at least, find easy to understand.

Now that was not all, Mr Smith. Before the six or seven PC trials were over statements by local veterinary surgeons, relating to my debacle with the college, were still hidden somewhere in the shelves of Gutter Street.

One veterinary surgeon, John James, who was late in being investigated [The prosecuting Borough Council, counsel, did not know Mr James also had a veterinary surgery in Llantwit Major until the trial had started!] as to the cause of 'clinical waste left in a black bag in Llantwit Major', Charge B, Mr James apparently falsifying a 'veterinary certificate' to the prosecution signing that neither he nor his staff had dropped the bag. He was let completely off the hook by the Vale of Glamorgan Borough Council and there is not breach of the Race Relations Act?

**Even on the County Council prosecution 'findings', that the batch numbers on two empty cat vaccine bottles matched his Centaur Services delivery note, then if that isn't racist then what is?**

Once the RCVS realised all they had left to throw at me, once Ms Felicity Norton's film set entourage were found to be erroneous, unreliable and only in it for the cash, no action was taken even for the falsification of the veterinary certificate, many others have been struck off for.

At my Privy Council Appeal I reminded their Lordships nearly all professional people were struck off for one or more of three main reasons:

1. Dishonesty
2. Use or Misuse of drugs
3. Interfering with their clients/patients.

I had been in Wales now ten years and not one of these allegations had featured in the prosecution's case.

In reply to Lord Hoffman's question, "why the 'trivial motoring convictions' had been included the QC could only say, "Due to Mr Kirk's disrespect for authority"

I had said, at an earlier hearing "The law is only as good as the integrity of those entrusted to administer it". This hearing produced a judgment stating unequivocal 'hope' by their lordships that I be re instated within twelve months, the earliest the law would allow.

I did not know at the Downing Street Appeal that the RCVS had entered the local South Wales Police station and had examined confidential police files, contrary to Home Office Regulations, 45/1987, frantic

to add to their dwindling list of charges against me. The RCVS had to trace anything that the two local veterinary surgeons had not already informed the about from news paper articles. This led to hasty errors, incorporating all the 'trivial' motoring convictions and incorrect information from the over eager police later to be in error on the charge sheet before the Disciplinary Committee. I could only correct the court record by having defence witnesses.

One example of a conviction they were given had no facts at all, 'circumstances surrounding a conviction' and over ten years old, a direct breach of duty and would have been quashed before any other Legal Advisor, I had experienced in the past but nobody appeared to 'give a dam,' even to this day.

The original cause of the RCVS Preliminary Investigation Committee's decision to prosecute had been primarily about similar incidents of emergency as for 'The dogs over a cliff' when no other veterinary surgeon was 'available'. I was blamed, apparently of 'revealing client confidentiality' of all things to Felicity Norton's program when clearly she had given consent as had Ms Wall, 'her' dog actually having gone over a cliff. This I had told the RCVS, when seeking advice on the day before filming commenced. Felicity Norton was the ring leader but Sir John Wood QC and later Mr Justice Sullivan at the Court, blocked her evidence once one of them had been tipped off, should she take to the witness box as my witness. All this can be proved.

Is it beginning to stink, Mr Smith? .

So, sometime in late 2001, RCVS lawyers withdrew the charges that had originally caused the Preliminary Investigation Committee to order a trial but only obtained by a majority vote.

So who was about to stop this 'gravy train' rolling? Just the lawyers? Apparently there is no set procedure to stop the Disciplinary hearing, once it is listed. Frightening, isn't it, when playing with somebody's livelihood? They were living off my then colleagues' hard earned income.

Believe me, Mr Smith, I know much more about all but am trying to keep this as brief a summary as possible and I need some in reserve when I sue Penningtons and others for criminal conduct in the criminal court.

## **Charge B**

The RCVS relied on information from both the Welsh police and courts to obtain a conviction.

At least three 'Certificates of Conviction' before the original RCVS jury were false and they damned well knew it, following Hudson's visit to your local police station to examine confidential police files. The Preliminary Investigation Committee did not have those certificates before them in June 2001, they relying on the contemporaneous notes of their own case workers, denied me, to direct my case go to trial before the Disciplinary Committee.

- 1. One certificate stated my licence was 'endorsed' when it was not.
- 2. Another certificate stated I had confessed to the crime when there had been a Crown Court trial the verdict of which is still ardently contested. (very small bag of 'clinical waste' found in a public place)
- 3. Another certificate, the Welsh Authorities now confirm was false, the details withheld by Barabara Wilding for the police, Penningtons for the RCVS and now HM Treasury Solicitor for the HM Attorney General, all having refused to 'disclose', respective enquiry records as to just who is behind this fervent expensive intrigue?
- 4. Another conviction court record to prejudice the RCVS jury, before it was withdrawn under dubious and still unexplained circumstances, when they knew the police confirmed, in the London civil action for my damages, admitted the CPS did not even oppose my Appeal, the

circumstances being pathetic and after a night in a Paddington Green Police Station cell the lady Stipendiary dismissed another related charge incorporating the very same police witnesses.

**HM started their enquiry**, interviewing defendants in my civil litigation (RCVS and South Wales Police), without me knowing, as far back at least as 2002, rounding up over 100 court files, with my name on, from Cardiff court alone! The team of HM lawyers, in Whitewall, have now lost many of them [Exhibit 18] with the HM Treasury solicitor, while recently in court fighting a false imprisonment judgment in my favour, for the Home Secretary, admitting the investigation as my being certified as **a vexatious litigant** as being still ongoing! Another conviction court record to prejudice the RCVS jury, before it was withdrawn under dubious and still unexplained circumstances, when the police confirmed, in the civil action for my damages, admitted the CPS did not even oppose my Appeal!

**We know when the RCVS started their enquiry.**

**The South Wales Police enquiry** is voluminous and started the very minute I set foot in Barry, in 91, as correspondence with the Guernsey Authorities portray. You will recall I had to escape Guernsey 24/7 surveillance, 2 year continuous telephone tap in the boot of a car in the dead of night, for my rubber boat for England and freedom. My life had been threatened by one of their leading freemasons if I did not leave. I had, until recently, believed the devil worshipping cabal, found in each town, to be just another club for self gratification, no different to any golf club.

I believe the cost of all this sits squarely on the shoulders of my parliamentary representative.

Why is everyone with '**HM**' immune to prosecution and public reprimand, despite flaunting countless Judges Orders in both Crown and County Court, Privy Council 'Undertakings' and 'Assurances' in Downing Street, Learned Legal Assessor 'advices', in too many RCVS courts to list and when statute law indicates these defendants, in my 52<sup>nd</sup>? Judicial Review Application, ALL culpable of criminal conduct against my family and I, must disclose relevant evidence?

I was, as said, refused any 'defence witnesses of fact', by the RCVS and definitely not any police present at these, just listed above or in court to witness the original 13 incidents cited.

The Registrar of the RCVS, Ms Jayne Herne and her 'van load of hostile Barry Police', rustled up mid trial **{Exhibit 7}**, on the excuse to give evidence for me, would you believe, had been carefully selected by Alison Foster QC, for the prosecution, despite to Court of Appeal Orders to the contrary. No defence witness must be available to have witnessed the 'circumstances surrounding each police incident' [Contrary to 1966 Veterinary Surgeons Act] thereby not allowing me to prove the conviction certificates were false.

This RCVS case started with 13 convictions with 2 'well aired' with police lies to prejudice the jury before withdrawing them near the end of the prosecution's case, my being refused a new jury, of course, as it was a permanent one and there was no other. Not that it would have helped me much when someone whispered the whole proceedings are flawed being contrary to the 1998 Human Rights Act, toothless without Article 1 of the European Convention, the very purpose by Jack Straw et al for getting it printed.

[Article 1 of the 1948 Convention makes HM Government responsible for the behaviour we all experience in our courts which is why Jack Straw had the paragraph expunged for the 2<sup>nd</sup> October 1998 launch while I was unlawfully detained, for the night in London's notorious Brixton prison with 13 prisoners, no less, for a few hours in the Dickensian cell, circa 1840's, measuring 14 feet by 7 feet and consisting of 2,235 standard London Brick Company red bricks, plus or minus a few. And for what purpose? To undergo 'psycho analysis', Stalin style. This procedure was later refused, fortunately, maybe, by the prison doctor.]

That day the RCVS had had a case worker' in disguise, in the back of Horseferry Road magistrates court for days and would not acknowledge me when I asked for help, the RCVS building being only adjacent. That may indicate the long term agenda of some in the RCVS, dating back to the early 80's, where, at least, proceedings were honourably conducted so much so as to humble even me!

Mr Smith, no veterinary surgeon has ever been taken to court on such charges dubious or not. The previous Legal Assessor, Phillip Cox QC, back in the 80s advised similar charges against me had nothing whatever to do with either my competence or my duties as a veterinary surgeon in society.

A worrying comment that their Lordships put into the 19<sup>th</sup> January Judgment indicated a veterinary surgeon, meaning any professional person not actually working, had different responsibilities in society to anyone else and I had been in breach of them.

**I believe this as a direct abuse of my basic human rights [see 1948 ECHR Convention] even though I am in some sympathy being of an age when I also remember society to which their Lordships referred.**

But just who allowed our country to pander to visitors' foibles to drag our society down so quick?

It may not surprise you to know the current RCVS have hurriedly incorporated the PC comment, a gross infringement of a professional person's human rights, into current legislation and by doing so further alienated many, including my wife, in the veterinary profession.

Barry Magistrates, in January 2007, even expunged another conviction from that original list before the committee, as having 'never occurred' but despite the Privy Council stating, in June 2004, I had been struck off for the **cumulative effect** of the charges (11 or 13?) it is interesting the RCVS repeatedly emphasise, at my annual receipt of Royal Courts of Justice abuse, I was struck off for **each** of the convictions, each 'rendering me unfit to practice veterinary medicine'.

That is just not what is interpreted by so many who have managed to get access to the official transcript and read the final judgment. I am still at loss, today, to understand their original judgment or even their final draft. I defy you to understand the original transcript versions of the RCVS judgment.

One such conviction, rendering me unfit to practice, was 'No Order', having won all other criminal allegations, for example, was for 'crossing a single white line' at 4 mph at St Athan to avoid a wobbling aged cyclist in a disordered 'fun run' of some eighty cyclists. A fitting dog across my lap and a cat with a broken leg in the back en route to the Veterinary Hospital and I was confronted by an officious police officer whose evidence was so discounted at yet another Crown Court hearing I, as usual, was awarded not a penny costs. Racist, Mr Smith?

.Another example was for 'personally delivering my valid motor insurance to the wrong police station'. 35 times the South Wales Police had tried to make me repeat just that. The law does not even oblige you to attend a police station, one can send by post.

Interestingly, the RCVS lawyers quietly withheld details of a substantive conviction with not a mention of my prison sentence it carried in Cardiff Crown Court but instead relied on trivial motoring and dubious public order convictions to have me struck off.

Even in that jailed conviction the jury wrote notes to the judge complaining of the Barry police 'perverting the course of justice', signalling the answers while a colleague was under cross examination and yes, that is just one of about a hundred outstanding police incidents they are currently refusing to disclose about for civil damages now entering its eighteenth year with Barbara Wilding pleading ignorance as she writes her sworn affidavit.

**Remember, I tendered to Barbara Wilding but a sample of 40 odd 'occurrence numbered police recorded incidents' about a year ago and have had no response what so ever to that letter from the South Wales Police for CPR part 31 disclosure.**

Can you help me on that outstanding matter, it being a regular Vale constituent problem?.

Barbara Wilding, **ordered** to sign a now long overdue a sworn affidavit on disclosure, by the management judge, His Honour Judge Nicholas Chambers QC, following my application under **Abuse of Process** procedures, Lord Justice Thomas, yet another Welshman, handpicked just to hush all this up, having refused to entertain my application for a jury against The South Wales Police or an Abuse of Process enquiry at the Court of Appeal, refusing me legal representation in passing, clearly further supports the view of many that I am subjected to blatant racial discrimination.

This routine conduct, all financed by the uninformed general public, is due to '**HM**' immunity.

All these people are ultimately responsible to someone and when the time comes I will allow proper investigators to examine my library of tapes of court cases, as irregular as they may be, but alongside the 100 odd leaver arch files recording my cases in the stench of South Wales courts you will see the HM Crown Prosecution Service are just as culpable for all these court cases to have progressed so far..

It has been suggested I use my trusty old 1917 Lewis machine gun on the vermin but I have had half my life ruined in the gutter with them already and a bit of spilt blood will achieve little unless I find the ring leaders at home.

## **The Exhibits**

### **1 . Last paragraph of 1967 RCVS Royal Charter**

This indicates bias but was not accepted by Mr Justice Lloyd Jones and the RCVS at the RCJ in June 2008 during my failed 5<sup>th</sup> failed attempt to be restored to the veterinary register now being stifled at the Court of Appeal

### **2. Magistrate Ms Williams 4<sup>th</sup> January 2005 letter to RCVS**

### **3. 20<sup>th</sup> June 2001 RCVS Preliminary Investigation Minute.**

The purpose of the committee is to investigate complaint against a veterinary surgeon. You will note six were Council members and the other four were all there to submit evidence of their own choosing. None of those 'in attendance', in possession of the contemporaneous notes and signed witness statements replied to my letters for the details relating to purported complaints by Ms Wall, Ms Felicity Norton or Mr Collins or anybody else if there were any?

None of the above named complainants were called by the RCVS at 2002 trial nor was I aware of their relevance or allowed to have Ms Felicity Norton and Mrs Wall as defence witnesses.

Incidentally, the then President of the College, Mr Roger Eddy, also sat in my trial, for less than one hour and reported back to both the profession and media to say that I had had a "fair trial".

He and others present are identified in the 1<sup>st</sup> June Statutory Instrument 2004 no. 1680, Schedule of the 1966 Veterinary Surgeons Act along with Mr Galloway, Chief Clerk to the Privy Council who has repeatedly refused my Humble Petitions to go before Queen in Council now this new evidence has been uncovered. The new Registrar of the Privy Council's Judicial Committee went even further by returning my recorded post Applications unopened and refusing to indicate instructed her to do same..



#### 4. Exhibit 2001 RCVS Committee Minute.

This interesting 'find', far too late for the Privy Council Appeal, indicates in Para 44 that complaints about me were not about my treatment of animals but were my treatment of these named complainants! Cf Charge A.

Para 45 The unusual step of handing it to external solicitors then occurred and to gather the evidence, personally, if it was not to avoid of CPR Part 31 rules of Disclosure, in order to have me struck off.

Para 46 reveals some television footage including ITV, 'The Ferret' and a collection of complaint letters acquired by Ms Felicity Norton never disclosed.

Again, I was never notified of any of this intention by Felicity Norton collating material for a TV documentary and therefore agreed, subject to getting advice from the RCVS, to give an interview with ITV to give my concerns of night work for strangers, on condition I had an unedited copy asked requested by the RCVS. After filming ITV refused the copy tape, not for the first time me, HTV doing a documentary film on rogue CAA licenced aircraft engineers, one in particular, as such companies so often do and edited the interview to omit my reasons and taylor it to for their own agenda, distorting the truth for sensationalism sake.

Amongst these client complainants, identified in the Exhibit 4 and of whom the RCVS committee knew little about, all said they would not pay my fees and if I took them to the Cardiff small claims court they would attempt to have me struck off. How times have changed, Mr Smith, since I first qualified!

These three complainants to the college were 'out of hour' strangers, angry and pleading inability to contact their own veterinary surgeon, every one presenting animals in the later stages of simply dying.

The 4<sup>th</sup> complainant had exactly the same circumstances there on Cold Knap beach, Barry, with the distressed client, crying her eyes out, believing the dogs had fallen over the cliff. Even her statement tailored to fit Penningtons battle plan stated Ceri had to be consoled by the gathered members of public.

The verbal abuse and threats from the first three complainants and the ownership of one dog changing three times, between six pm and midnight, once Ms Wall realized the dog may die. 'Her' dog did die, following extensive hospitalisation and fracture repair from falling over Llantwit Major cliff and is but a variation with the South Wales Police, they having both the gravitas and bottomless pot of cash to influence the RCVS sufficiently to achieve each complainant's apparent burning desire if you believe Penningtons?

Unambiguous client permission had been granted to refer to Ms Wall's case when I was interviewed by ITV and elsewhere since.

Mr Smith, personal service for your old clients, in cases of emergency, was my main reason for entering the profession having watched my dad, often at three in the morning, cussing because he was too tired but coming back two hours later beaming from ear to ear for some personal clinical achievement.

Neither my father, nor uncle nor I ever allowed our clients of the veterinary practice ever to be in the hands of another not directly under my control and with immediate access to the animal's medical records at whatever time of day or night.

Kirstie was forced to give up night work, first having to leave Ministry as Veterinary Advisor to that talking shop, the Welsh Assembly when I was struck off and finally had to give up farm work, then later horse work and just last year sell up in utter despair due to the criminal conduct of lawyers.

Almost a thing of the past, this relationship of trust in the work place, I am afraid, with new ridiculous expectations of society caused primarily by repeated Government's misconceived immigration policies.

#### 5 Exhibit. Spring 2001 RCVS Committee Minute

This minute identifies Pennington, Solicitors, for the College personally travelling to South Wales 'to take statements' to control evidence obtained to have bias and to allow contemporaneous record of evidence to be undisclosed as if under 'legal professional privilege'. 'Absolute' or 'qualified' under CPR and criminal law, in respect of RCVS procedure under the 66 Act dictates, the material should have been declared, if not disclosed, in order that it could be challenged. There are Just too many bent judges in on the act for a judicial redress now so hence my intention 'to put the hounds on you', in the nicest way possible, you being my family's last resort!

#### 6 Exhibit. 6 Nov 2006 RCVS Extract.

First RCVS admission that there is withheld evidence based on '**legal professional privilege**' and that the two year enquiry created paperwork. These transcript extracts are self explanatory with the RCVS barrister using this excuse to not disclose contemporaneous evidence like interview note books.

Exhibit 6 is yet another RCVS created fairy tale designed to fool the Privy Council and High court unless it is a mistake, as with Foster before Lord Hutton [ Exhibit 15] and was another 'brief misunderstanding' between client and paymaster? Just lacking the musical score for a successful Whitehall Farce?

**7 Exhibit. Further Nov 2006 RCVS documents** on how RCVS managed blocking all my thirty odd defence witnesses, all capable of giving damning evidence to prove the, now, out of control continuing conspiracy between HM Attorney General, HM Court Service, HM RCVS and HM Home Office police with many more HM government departments culpable and also eligible for criminal investigation.

.Evidence and witnesses are 'anybody's property' whether in a civil or criminal court but Sir John Wood QC was either 'completely away with the fairies' or thoroughly deceitful. The Veterinary Surgeons Act 1966 clearly indicates I was allowed all those witnesses to indicate the relevance of the incident instigated by the South Wales Police having lost 121 charges out of about 130 over a period of ten years of consolidated harassment on myself, staff and ever suffering family.

Incidentally, the RCVS's 2002 Legal Assessor, Sir John Wood QC, jumped back to and fro, from criminal to civil law and even made court procedure up 'on the hoof' when it so suited which is why the RCVS this week again refuse to release this public document, the official court transcript, in electronic form for your appraisal and for précis to submit to the Royal Courts of Justice deadline of the 19<sup>th</sup> February.

- A. The RCVS court then gave this summary , enclosed, following my being refused any witnesses in rebuttal to the police evidence who ,themselves, had obtained the convictions with prosecution producing evidence from police complainants or eye witnesses to each incident?
- B. How was it allowed for the RCVS Registrar, Miss Hurne, to then cherry pick the most potentially hostile of South Wales Police I had identified, not the prosecution, to be my only defence witnesses of fact, contrary to a Court of Appeal Order only a few days before?
- C. BUT WHAT EVER HAPPENED TO THE Preliminary Investigation complainants, Ms Felicity Norton and others, her film crew making the documentary having all interviewed RCVS witnesses and the South Wales Police as the internal minutes portray?
- D. Did the, withdrawn complainants influence the P I Committee's decision to prosecute? If so, the trial should never have happened. **An Abuse of Process** for Privy Council intervention under statute clearly defined in the 1966 Act.
- E. Why were these convictions, obtained by the South Wales Police years before, never put to the PI Committee before with Felicity Norton's group complaint?

- F. So who was in charge at this stage now the court hearing had to go ahead on some ten year old year old convictions, some without even a prosecution witnesses to cross examine? Lord Hoffman, at the Privy Council Appeal, described the five motoring convictions as 'trivial' and transcript will show dominated all the hearings where, at least, costs were concerned.
- G. Why has no one before or since, in the profession, ever been subjected to such a witch hunt if there is not still some hidden agenda?
- H. Did the permanent jury of the Disciplinary Committee ever become aware of the complainants' allegations now withdrawn? Of course they did, Felicity Norton was on the telephone to the RCVS, two to the dozen!

### **8 Exhibit. A fascinating clip of the 2002 Transcript**

An example throughout of with Alison Foster QC clearly talking with 'forked tongue' while withholding vital eye witnesses that should have gone before the jury. Foster should have gone to jail.

She clearly lied about the circumstances as to why the Gregsons were withheld from the hearing following, I found out years later, their telephone to the RCVS refusing to attend once they understood the 'out of context' evidence and the prosecution's real agenda.

### **9 Exhibit. Jan 2002 Trial Extract**

Even only six pages into the trial here is the Legal Assessor 'promising me witnesses', liar, even pointing out the relevant law so I could 'adjudge' what questions to ask the police in cross examination. Some were congenital liars like some veterinary surgeons I know. The law allowed me to portray 'the circumstances surrounding the conviction' did not render me unfit to practice veterinary medicine. The conspiracy between , HM departments, police and RCVS denied me that basic right.

Only after the last police witness was dismissed did Sir John Wood QC order me to say why I needed defence witnesses at all!

The man made me spell out, chapter and verse, their likely defence evidence as to whether I was fit to practice or he would not issue a witness summons, obligatory for the police.

Meanwhile, across the table of tea cups and sticky buns, the QC for the RCVS remained silent with college lawyers and Penningtons frantically making notes of what each policeman may say before speaking to them themselves, they already having interviewed them, withholding that fact from me with their contemporaneous notes. No lawyer present made any representations that the proceedings were 'ultra vires' and plainly wicked.

I told the retired High Court judge that by calling the complainants of any conviction or the respective investigating police officer, because I had not committed the offence(s) and had already forced various versions of their story from these witnesses (see contemporaneous police note book, their typed statement, evidence and cross examination in Magistrates and again at Crown Court) there was every likely hood the lying police officer, many years after the event would more likely remember what actually happened rather than the conspiracy hatched, in the dead of night, in some smelly South Wales police station.

Sir John Wood QC, upon hearing I had an evens chance of overturning at least four of the convictions, via the Criminal Cases Review Board, once submitted with electronic form transcript of this new evidence to come, he got up swallowed his medicine and went out to the lavatory , I think the third time that morning and returned later to refuse me anything! He refused all my witnesses, many, Mr and Mrs Ebbs and at least eight others, **not even objecting to stand on my behalf**. His other medical afflictions also repeatedly interfered with justice with again the prosecution remaining silent having so carefully picked him for the job.

In this transcript extract The Legal Assessor is asking if clients of mine are ready to give prosecution evidence? Called only after Felicity Norton had fluttered away. The court was told a pack of lies by Foster, as you read, especially if you put alongside the evidence I am gathering now, for you shortly and referred to in the next Exhibit.

### **10 Exhibit. 26<sup>th</sup> Jan 2006 Statement of Mr Gregson**

Here is clear evidence witnesses were interviewed by the lay staff of the College, as has always been the custom and for the barrister not to disclose, see exhibit 5 and 6, and lie to the court is what she is paid for so when out, as in every hearing, it can be shrugged off as a 'brief' misunderstanding. I have had forty years of seeing barristers, when caught out lying, bow to the judge and blame it on a 'brief' misunderstanding, all part of the despicable trade to win instead of simply establishing the truth.

Had the French system, Code Napoleon or similar inquisitional procedure been applied I am sure I need not have been writing to you today with legislative and judicial process halved overnight.

Again, 'nothing new under the sun' when dealing with lawyers. The RCVS told the Information Commissioner only lawyers collected evidence. A deliberate lie and of course, the government official, the Information Commissioner has been told not to disclose the material, if any was ever disclosed to him by the RCVS in the first place. As I told you at our meeting the Information Commissioner has obtained no disclosure, to date, from the HM Attorney and his seven year enquiry about Maurice Kirk totally disrupting my ongoing court hearings.

Those internal memos I showed you clearly show how files, transcript and tapes were sent from Cardiff to Whitehall for 'due process'. I am denied that luxury when I spend weeks of family time, large sums of money to just lodge court cases I have proved time and time again, are then not even read or even opened in some cases. I am entitled, under the law, whether the Andrew Collins's of this world like it or not.

Lord Thomas, for example, said my Appeal for a jury was '**out of time**' when clearly it wasn't; The Swansea judge, from whence the Appeal came took 17 months to surface in the court room, it clearly having been all round Whitehall lawyers first; Mr Justice Andrew Collins's personally signed letter to me clearly indicates my earlier application to the Court of Appeal to overturn his RCVS devious ECRO to block disclosure, was not '**out of time**' for the Court of Appeal either but court record proves it was not; my lodged application for Court of Appeal, against the RCVS last summer to even hear my application for re instatement, has **still has not been heard**; it takes me over **eight months** for my Emergency Judicial Review Application to be 'heard' in court, Mr Justice Lloyd Jones, dismissing the application after the RCVS say, oh, he can re apply next month as the law allows 'de novo' applications every 10 months.

Roger Eddy and his like, that now dominate the RCVS, are currently frantically lobbying HM departments to amend the 1966 Act to prevent my 7<sup>th</sup> Application for re instatement being heard earlier than **five years** when I will be near three score year and ten, the allotted time. Why? To continue to block the disclosure of evidence that was withheld by lawyers **that never even went before the June 2001 RCVS Preliminary Investigation Committee, let alone the Disciplinary Committee** as the Data Protection Action manoeuvre shows. The very same in house RCVS lawyers, there today, knew or should have known if the was to be a fair trial.

My researches find that in the time I am standing in the queue, often the only white Caucasian in the RCJ building, to lodge an Emergency Application some immigrants, with whatever stories to tell, most on legal aid, are judicially processed, fed, clothed and promised a house, before I, much later, leave the building. The promised house may well have been my Mackenzie Friend's in North weald, North London, snatched earlier from him by yet another HM government department at the naked mercy of our outdated and voracious legal cartel run by too many now only interested in the money.

I find, from further memos, coming my way, I assumed a little too much last year, before Lord Thomas, when he refused me legal representation or proceed with my lodged **Abuse of Process** paid up Action.

Some judge in Wales 'authorised', apparently, my files (criminal and civil) to leave the buildings in Wales, court tapes and all, and allowed my defendants, police and RCVS, to confide with each other and obtain, no doubt information from other defendant, the HM Attorney General and other HM departments, with not just a passing phase in their lives, having concern for my welfare and unlawfully disclosing to the joint defendants information, erroneous or otherwise. In order to fight my position, to which I am entitled, as a Plaintiff, I have paid all the court fees and conduct to which I refer in my letters to you cite breaches of the Fraud Act right across this myth, called **HM**.

So when I remind the South Wales Police in court I would never have been so damned stupid as to sue them before an HM judge, sitting alone clearly stated around ten years ago in Bristol court where this seventeen year old action all started, oh yes, all those tapes, I am told, have been destroyed, like the police plead of their records of incidents and Barbara Wilding's sworn Affidavit, despite identified and cited in five actions against the South Wales Police, some more than seventeen years ago.

You suggest all this is may possibly just incompetence. No Mr Smith. This a conspiracy that is your responsibility, until such time, I believe, rightly or wrongly, I must go above your head.

#### **11 Exhibit. RCVS 2002 Trial Extract**

RCVS Disciplinary Committee refuses record of the enquiry! This has caused 8 years of ruin.

#### **12 Exhibit. RCVS Re instatement Application**

A random sample of the gibberish and inaccuracy to which an HM organisation will stoop, attempting to obliterate cold facts.

1. It was not 12 charges,
2. "You cannot look behind the convictions". The 1966 Veterinary Surgeons Act clearly states the 'circumstances surrounding the incident' should be before the court.
3. "Strasberg and there was no result".

Ms K Reid has ruled, sitting alone no doubt, we go back 27years, ruled, without committee or legal advice, before writing the European Court of Human Rights will not entertain any further applications relating to the RCVS. Oh, surprise, the Privy Council Chief Clerk, K Galloway, shortly after writes almost the same worded letter that Her Majesty's Privy Council will not entertain any further Humble Petitions relating to HM RCVS.

And you discount freemasons to be at the bottom of all this, Mr Smith?

#### **13 Exhibit. 6<sup>th</sup> Nov 2006 RCVS Re instatement Application**

This random sample is self explanatory to those on the same planet.

Remember, Mr Smith, lawyers were banned from Parliament by Henry Seventh in 1487 and it remained that way for nearly five hundred years until sufficient money changed hands.

You will read, in line C, The permanent Chairman, with a vote when I was the struck off and a vote for many of my subsequent failed applications, over the past five years, for re instatement, stated, "**The Legal Assessor says you are not entitled to know that, Mr Kirk**"

So when did that conversation go on, in the privacy of the gentleman's loo where so much time was taken up in legal discussion, in the adjournment, often when I was just getting to crucial part of cross examination to interest the Criminal Cases Review Board?

**14 Exhibit. Humble Petition to Her Majesty, dated 20<sup>th</sup> December 2002, for Disclosure**

**15 Exhibit. Privy Council, Lord Hutton, January 2003 Extract on 'Humble Petition' for Disclosure**

Quote from court record "As far as she is aware (the girl in britches), on her instructions, the college has made full disclosure of all relevant documents and she instances, for example the letters of complaint which were sent by various persons to the college about Mr Kirk".

Well, there you have it, Mr Smith, from gentleman in charge, later, of a government enquiry revealing similar dubious conduct by those in positions of privilege.

No such letters featured in the shambolic 2002 RCVS rigged trial, other than the one from Barry police station asking to have me struck off so which letters, pray, does his Lordship refer?

**16. Exhibit. 23<sup>rd</sup> June 2003 HM Treasury Solicitor Minute**

Left with you at our House of Commons meeting with the two page 'flow chart' of HM Departments, RCVS and South Wales Police, my 9 year old daughter prepared, to indicate 'web they weave, when first they set out to deceive', misquote from north of the border.

**17. Exhibit Cardiff Court email to HM Solicitors**

**18. Exhibit. One of many photographs**

Taken as proof, from inside Cardiff court building, of the only remaining two boxes of my South Wales Police damages Claim stored in Cardiff Court, the other three boxes being God knows where, but we can guess, having my furnished a signed court letter to that effect. I have been denied any audit trial of the HM Treasury Solicitor's interference and serious disruption with the due process of law.

*Mr Smith,*

I will donate our English Springer Spaniels to the Labour Party, even my WW2 Piper Cub, G-KIRK and even, possibly, persuade Kirstie to come and clean once a week for you, if you obtain that relevant disclosure that is lawfully mine.

*I will never ever forgive you for pushing out my very dear, dear friend from his parliamentary seat, Walter Sweeny Esq., brilliant lawyer, political visionary, 'bon viveur' and great family man but your personal assistance in the past has been nothing but exemplary and I am confident, therefore, you will not shirk entering the lion's den, dented a little by the Magna Carta and early 18<sup>th</sup> Century Act, maybe, that ancient cartel of 'HM' deceit, licensed to print money and spend it with gay abandon.*

*Yours sincerely,*

*Maurice J Kirk BVSc*

*Marlpits, St Donats Aerodrome,*

*South Wales CF61 1 ZB*

*Copy Lord Foulkes, David Cameron MP, Vince Cable MP, <http://www.kirkflyingvet.com/> & [www.wacl.org.uk](http://www.wacl.org.uk)*