

IN THE BRISTOL COUNTY COURT

CASE NO: BS6 14159

BETWEEN:

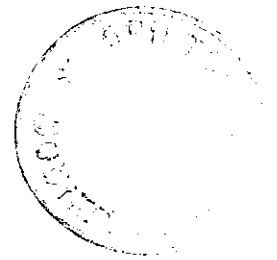
Maurice John Kirk

Plaintiff

and

South Wales Constabulary

Defendants



PARTICULARS OF CLAIM

1. The Plaintiff is a veterinary surgeon and operates surgeries at 51/53 Tynwydd Road, Barry, South Glamorgan 173 Cowbridge Road, West Cardiff and 1 Church Street Llantwit Major.
2. The Defendant's are the police force having control of the police stations which include Barry and Cardiff areas of South Wales.
3. The Defendants have the duty and power to stop and arrest any person who may reasonably suspect as having committed a criminal or road traffic offence, any attempt to stop, arrest, question or detain a suspect must be conducted in accordance with the Police and Criminal Evidence Act and the Defendants officers must at relevant times have and maintain reasonable grounds for the stopping and detention and the continued detention of any suspect.

4. The Plaintiff for reasons not relevant to these proceedings is known to the Defendants officers at Barry Police Station and in particular to the station sergeant and PC Kirslake and at all material times were aware that the Plaintiff held a current full driving licence, that he was not disqualified and further that he was a veterinary surgeon practising in the area.
5. Further the Defendants as a police authority have a duty and obligation to fully and diligently investigate any complaint from a member of the public and in respect of any criminal or motoring offence and/or to use their best endeavours to protect any property which comes into their control and particularly to protect any items of stolen property to ensure that it is not damaged or vulnerable to further theft.
6. The Defendants are not entitled to detain any person in custody without lawful authority and shall release any person from custody as soon as it is apparent or reasonably apparent that they have no lawful reasons for the continued detention.
7. The statutory duties and/or common law obligations hereinbefore mentioned are owed by the Defendants to the Plaintiff and they are in breach of those duties and obligations and/or have caused nuisance to the Plaintiff and/or assaulted him and/or committed trespass to his person or property and the Plaintiff has suffered loss and damage.

PARTICULARS

- 8.1. On the 7th March 1992 on the M5 motorway near Chepstow the Plaintiff was

unlawfully stopped by an officer of the Defendants and accused of driving failing to provide a specimen of breath. He was subsequently arrested, charged and convicted. The conviction was set aside by the Divisional Court on judicial review. On rehearing the Plaintiff was again convicted, and an Appeal to the Newport Court was refused and is the subject of an application for case stated to the Divisional Court.

8.2 Following the incident on the 7th March 1992 the Defendants unlawfully detained the Plaintiff's property causing him loss and damage.

8.3. On the 2nd January 1993, the Plaintiff was stopped by an officer of the Defendants on the A48 at Cowbridge, South Glamorgan without lawful authority. He was required to produce driving licence, MOT certificate and insurance cover note (hereinafter called the "motoring documents") at Barry Police Station which he did. The Defendant subsequently denied that such documents had been produced. The Plaintiff was prosecuted in the local Magistrates Court, was found guilty (the Defendants still maintains that no documents had been produced) and he was fined £450. The conviction was set aside on appeal on the 5th June 1993 and the Cardiff Crown Court was satisfied that the documents had been produced.

8.4. On the 9th January 1995 the Plaintiffs surgery was burgled. The Defendants arrested and/or detained a person for this offence but refused to prosecute or provide any details to the Plaintiff to enable him to prosecute or bring a private action for damages.

8.5. On the 24th March 1993, officers of the Defendants arrested the Plaintiff outside of his surgery for an offence of being in charge of a vehicle which had a tyre with

insufficient tread. The Plaintiff was found guilty in the local Magistrates Court following evidence from the police officers and was again set aside on appeal in the Cardiff Crown Court on the 17th December 1993.

8.6. In May 1993 the Plaintiff was arrested by officers of the Defendant at Grand Avenue, Cardiff and taken to Fairwater Police Station. There were no lawful reasons given to the Plaintiff for his arrest and detention. The station sergeant was aware of the Plaintiff's identity but refused to recognise him or confirm his identity. The Plaintiff was detained all night in the police cells and brought before the Cardiff Magistrates Court the following morning when evidence was offered by the Defendants that they could not confirm the identity of the Plaintiff. The Plaintiff was remanded in custody for three days to enable enquiries to be made. The charges were eventually withdrawn and the Plaintiff released. Further the Defendants seized and damaged the Plaintiff's motor cycle and refused to release the same to him for several days after the Plaintiff's release from custody.

8.7. On the 23rd June 1993 the Plaintiff was arrested by the Defendants' officers stationed at Bridgend Police Station. There was no lawful reason for the arrest, he was required to produce motoring documents at the Barry Police Station which he did. The Defendants denied that the said documents had been produced.

8.8. On the 30th June 1993 the Plaintiff was outside his surgery at Grand Avenue, Ely watching her Royal Highness Princess Diana visit the local Dr Barnados home, without just cause he was surrounded by sixteen of the Defendants' police officers, some of whom were known to him and they acted in a very intimidating way. He felt

threatened and after approximately 10 minutes they disbursed without any charge or suggestion that the Plaintiff had acted in any unlawful manner.

- 8.9. On the 22nd September 1993 an officer of the Defendants stopped the Plaintiff at St Nicholas Road, South Glamorgan. No lawful reason was given for the action and the Plaintiff was again required to produce his motoring documents which he did at the Barry Police Station, they were in accordance with law. He was on the 4th October 1993 charged with having no driving licence, such charge subsequently being withdrawn
- 8.10. On the 1st October 1993 the Plaintiff was involved in a road traffic accident near Barry. The police investigated and no action was taken against the Plaintiff and no suggestion was made that the Plaintiff was in any manner what so ever responsible for any motoring offence.
- 8.11. On the 3rd October 1993 at St Athan, South Glamorgan the officers of the Defendants stopped the Plaintiff whilst he was driving his motor car and no valid reason was given for his arrest. He was taken and detained in the Barry Police Station and held in custody on suspicion of driving whilst disqualified. He was released the following morning the 4th October 1993 without charge.
- 8.12. On the 4th October 1993 the Plaintiff having been released from police custody drove away from the police station and observed that there was a procession of police cars behind him. On reaching a nearby roundabout he drove around that roundabout in a lawful manner twice to ascertain if the police cars were following him. He was

stopped by a PC Kirslake (who was in one of the five Police cars), an officer who knew of the Plaintiff from previous incidents. He was arrested on an alleged charge of driving whilst disqualified, having no insurance and driving without due care and attention. The Plaintiff was taken to Barry Police Station when the said PC Kirslake charged him with:-

- a) Driving whilst disqualified and with no insurance on the 22nd September 1995 at South Glamorgan (See 8.8 above), despite having produced those documents as required by law.
- b) Driving whilst disqualified and no insurance on the 1st October 1993 (see 8.9 above).
- c) Driving whilst disqualified with no insurance and without due care and attention on the 4th October 1993 at the roundabout near Barry Police Station.

The Plaintiff was detained in custody to appear before the Barry Magistrates Court on the 4th October 1993. The prosecution did not produce any evidence in respect of the various charges of driving whilst disqualified, no insurance and no MOT and the prosecutions did not proceed. The Plaintiff was found guilty of driving without due care and attention. In his absence caused by ill health.

8.13 The Defendants officers were well aware that the Plaintiff was the owner of a BMW motorcycle. It was stolen on the 16th October 1993 and reported to the Barry Police Station. The police recovered possession of the motorcycle but failed to advise the

Plaintiff. He was eventually told by a third party that the Defendants had the motorcycle in their possession and with some difficulty the Plaintiff was able to recover his possessions from the police.

8.14. On the 15th December 1993 the Plaintiff was stopped by the police in Cardiff with lawful excuse and required to produce his motoring documents. These he produced at Barry Police Station who again denied that he had done so and he was charged with failing to produce. Such charges being discontinued with the prosecution offering no evidence.

8.15. On the 9th August 1994 the Plaintiff was stopped and arrested by the said PC Kirslake for driving whilst disqualified at 8 a.m. The police at Barry held the Plaintiff in custody until 12.45 p.m. before being released without charge.

8.16. As the Plaintiff left the police station and went to his car on the 9th August 1994, he was stopped and pushed by one of the Defendants police officers. He was immediately re-arrested with criminal damage accusation at 1 p.m. He was released at 4 p.m. without charge or explanation.

8.17. On the 10th August 1994 the Plaintiff was arrested by Sergeant Smith of Barry Police Station (an officer who previously had involvement with the Plaintiff). He was arrested for having no driving licence, was detained for several hours in Barry Police Station and eventually released without charge.

8.18. On the 21st July 1995 a Paul Stringer was observed breaking a window at the

Plaintiffs property at 52/53 Tynewydd Road. The said Stringer then headbutted, punched and tried to throttle the Plaintiff in front of witnesses causing him injury. The incident was reported to the Defendants who were made aware not only of the facts of the incident but also the threat of further incidents and PC 972 John Johnson refused to take a statement of complaint from the Plaintiff or record in his note book. On return from registering the complaint, the Plaintiff discovered that the doors had been damaged as had an internal door. The Plaintiff then again contacted PC Johnson who refused to take any further action. This incident was recorded by letter to the Defendants on the 21st July 1995.

- 8.19. On the 23rd July 1995 the police were in attendance at 51/53 Tynewydd Road and observed the said Paul Stringer without provocation attack the Plaintiff, throttle him and push him down the stairs, as a consequence of which the Plaintiff was taken to hospital by ambulance. The Defendants again refused to arrest or detain or charge the said Paul Stringer.
- 8.20. On the 24th July 1995 the said Stringer tried to gain access to the Plaintiffs veterinary hospital armed with a length of wood. The Defendants again refused to take any action for provide protection for the Plaintiff, his property or third parties.
- 8.21. On the 6th August 1995 the said Paul Stringer again attacked, the Defendants were again called and refused to take any action and on the 7th August 1995 the said Stringer broke windows and caused damage to the Plaintiffs property at 52 Tynewydd Road, the police were caused and again refused to take any action.

10. The Plaintiff therefore claims of the Defendants:-

- a) Damages.
- b) Exemplary damages.
- c) Special Damages.
- d) Costs.
- d) Interest pursuant to Section 69 of the County Court Act 1984.

This claim be limited to £50,000.

Dated this day of 1996.

Bobbetts Mackan

Bobbetts Mackan
20a Berkeley Square
Clifton
Bristol
BS8 1HP

IN THE BRISTOL COUNTY COURT

CASE NO:

B E T W E E N :

Maurice John Kirk

Plaintiff

and

South Wales Constabulary

Defendants

PARTICULARS OF CLAIM

Bobbetts Mackan
20a Berkeley Square
Clifton
Bristol
BS8 1HP

Solicitors for the Plaintiff

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FINAL VERSION OF

1st CLAIM, WITH ^{MANY} SERIOUS

~~BLOCKS~~ ~~CAUSES~~ ~~BLOCKS~~ INCIDENTS

STRUCK OUT
DUE TO

A CONSPIRACY OF "H.M.

PARTNERSHIP" + Memorandum

of Understanding between Law
Society & Chiefs of Police

Memorandum
of Understanding
between Law Society
& Chiefs of Police

IN THE BRISTOL COUNTY COURT

CASE No. BS614159

BETWEEN

Maurice John Kirk

Plaintiff

and

South Wales Constabulary

Defendant

RE-RE-RE-AMENDED PARTICULARS OF CLAIM

1. The Plaintiff is a veterinary surgeon and operates surgeries at 51/53 Tynewydd Road, Barry, South Glamorgan, 175 Cowbridge Road West, Cardiff and 1 Church Street, Llantwit Major.
2. The Defendant's are the police force having control of police actions which include Barry and Cardiff areas of South Wales.
3. The Defendants have the duty and power to stop and arrest any person they may reasonably suspect as having committed a criminal or road traffic offence, any attempt to stop, arrest, question or detain a suspect must be conducted in accordance with the Police and Criminal Evidence Act and the Defendant's officers must at relevant times have and maintain reasonable grounds for the stopping and detention and the continued detention of any suspect.
4. The Plaintiff for reasons not relevant to these proceedings is known to the Defendant's Officers at Barry Police Station and in particular to the station sergeant and PC Kerslake and at all material times the Defendant's officers were aware that the Plaintiff held a current and full driving licence, that he was not disqualified and further that he was a veterinary surgeon practising in the area.
- 5A. Further the Defendants as a police authority have a duty and obligation to fully and diligently to investigation any complaint from a member of the public and in respect of any criminal or motoring offence.

- 5B Further or in the alternative the Defendants have a duty and obligation as bailees to use their best endeavours to protect any property which comes into their control and particular to protect any items of stolen property to ensure that it is not damaged or vulnerable to further theft.
- 5C Further or in the further alternative, the Defendants, once their investigations are concluded have a duty to provide to the injured party relevant information concerning the results of such investigations including, in particular, the identity of any person suspected of having caused wrong to the injured party.
6. The Defendants are not entitled to detain any person in custody without lawful authority and shall release any person from custody as soon as it is apparent or reasonably apparent that they have no lawful reason for the continued detention.
7. The statutory and/or common duties and obligations herein mentioned are owed by the Defendants to the Plaintiff as the person directly affected and or wronged and they are in negligent breach of those duties and obligations or have assaulted him and/or have committed trespass to his person or property and the Plaintiff has suffered loss and damage.

PARTICULARS

- 8.1 Deleted - sue Bobbetts Mackan - incorrect draft and wrong jurisdiction
- 8.2 Deleted - sue Bobbetts Mackan - incorrect draft and wrong jurisdiction
- 8.3 On the 2nd January 1993 the Plaintiff was stopped by an officer of the Defendants on the A48 at Crowbridge, South Glamorgan without lawful authority. He was required to provide driving licence, MOT certificate and insurance cover note (hereinafter called 'the motoring documents') at Barry Police Station which he did. The Defendant subsequently denied that such motoring documents had been produced. The Plaintiff was maliciously prosecuted in the local Magistrates Court, was found guilty of using a motor vehicle which was uninsured and with no Test Certificate (the

Defendants still maintain that no documents had been produced) and he was fined £450. The conviction was set aside on appeal on the 3rd June 1993 when the Crown Prosecution Service offered no evidence.

8.4 Delete - no law

8.5a On or about 24 March 1993 the defendant maliciously and without reasonable and probable cause stopped the plaintiff outside his hospital and reported him for various alleged offences and laid an information before local magistrates for the county of Barry sitting at Barry Magistrates Court against the plaintiff being in charge of a vehicle with ~~no current excise licence, MoT Certificate or Certificate of Insurance~~ and a tyre with insufficient tread.

b And procured the said magistrates to issue a summons directed to the plaintiff requiring him to appear before the said magistrates court to answer the said information.

c The Defendant knew that no examination of the tyre ~~or the windscreen~~ took place in the presence of the plaintiff and his passenger and that the defendant knowingly altered the HORT 1 to pervert the course of justice after the motorists copy had been issued.

d The plaintiff duly appeared before the said magistrates' court and was found guilty.

e The plaintiff appealed to the Crown Court and the convictions were set aside with the presiding judge reprimanding the police officer for knowingly altering the police copy of the originally issued HORT to support a conviction.

f In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

Particulars of Special Damage

Set out in full after the civil action against Bobbetts Mackan, Solicitors, holding the files of evidence is successful, when the plaintiff has submitted to the blackmail paying the above exorbitant sums of money for work not done, the work being done being both negligent and possibly in conspiracy with others or as the court so directs.

8.6 In May 1993 the Plaintiff was arrested by officers of the Defendant at Grand Avenue, Cardiff and taken to Fairwater Police Station. There were no lawful reasons given to the Plaintiff for his arrest and detention. The station sergeant was aware of the Plaintiffs identity but reused to recognise him or confirm his identity. The Plaintiff was unlawfully detained all night in the police cells and brought before the Cardiff Magistrates Court the following morning when evidence was maliciously offered by the Defendants that they could not confirm the identity of the Plaintiff. The Plaintiff was remanded in custody for three days to enable enquiries to be made. The Plaintiff was maliciously prosecuted but the charges were eventually withdrawn and the Plaintiff released. Further the Defendants in breach of the duty pleaded in paragraph 5B above seized and damaged the Plaintiff's motor cycle and refused to release the same to him for several days after the Plaintiff's release from custody.

8.7 On the 23rd June 1993 the Plaintiff was arrested by the Defendants officers stationed at Bridgend Police Station. There was as no lawful reason for the arrest, he was required to produce motoring documents at the Barry Police station which he did. The defendants denied that the said motoring documents had been produced. The Defendant maliciously prosecuted the Plaintiff, but the charge was withdrawn at the Magistrates Court.

8.8 Deleted

8.9 On the 22nd September 1993 an officer of the Defendants stopped the Plaintiff at St Nicholas Road, Barry, South Glamorgan. No lawful reason was given for the action and the Plaintiff was again required to produce his motoring documents which he did at the Barry Police Station; they were in accordance with the law. He was on the 4th October 1993

charged with having no driving licence, such charge subsequently being withdrawn.

8.10 Delete - sue Bobbetts Mackan - incorrect draft

8.11 On the 3rd October 1993 at St Athan, South Glamorgan the officers of the Defendants stopped the Plaintiff whilst he was driving his motor cycle and no valid reason was given for his arrest. He was taken and unlawfully detained in the Barry Police Station and held in custody on suspicion of driving whilst disqualified. He was released without charge.

8.12 On the 4th October 1993 the Plaintiff having been released from custody drove away from the police station and observed that there was a procession of police cars behind him. On reaching a nearby roundabout he drove around that roundabout in a lawful manner twice to ascertain if the police cars were following him. He was stopped by PC Kerlake (who was in one of the five Police cars), an officer who knew the Plaintiff from previous incidents. He was arrested on an alleged charge of driving, having no insurance and driving without due care and attention. The Plaintiff was taken to Barry Police Station when PC Kerlake maliciously charged him with:

- a Driving whilst disqualified and with no insurance on the 22nd September 1993 at South Glamorgan (see 8.9 above), despite having produced those motoring documents as required by law
- b Driving whilst disqualified and no insurance on the 1st October 1993 (see 8.10) above.
- c Driving whilst disqualified with no insurance and without due care and attention on the 4th October 1993 at the roundabout near Barry Police Station

The Plaintiff was unlawfully detained in custody to appear before the Barry Magistrates Court on the 4th October 1993. In due course the prosecution did not produce any evidence in respect of the various charges of driving whilst disqualified, no insurance and no MOT and the

prosecutions did not proceed. The Plaintiff was found guilty of driving without due care and attention, in his absence caused by ill health.

8.13 The Defendants officers were well aware that the Plaintiff was the owner of a BMW motorcycle. It was stolen on the 16th October 1993 and reported to the Barry Police Station. The Police recovered possession of the motorcycle and thereupon became bailees thereof but, in breach of the duty pleaded in paragraph 5A above, the Defendants negligently failed to advise the Plaintiff. He was eventually told by a third party that the Defendants had the motorcycle in their possession and with some difficulty the Plaintiff was able to recover his possessions from the Police.

8.14 On the 15 December 1993 the Plaintiff was stopped by the Police in Cardiff with lawful excuse and required to produce his motoring documents. These he produced at Barry Police Station who again denied that he had done so and he was maliciously charged with failing to produce. Such charges were later discontinued with the prosecution offering no evidence.

8.15 On the 9th August 1994 the Plaintiff was stopped and arrested by the said PC Kerlake for driving whilst disqualified at 8.00am. The police at Barry unlawfully held the Plaintiff in custody until 12.45pm before being released. The Defendants maliciously charged the Plaintiff with driving without insurance, such charge being subsequently withdrawn.

8.16 As the Plaintiff left the Police station and went to his car on the 9th August 1994 he was stopped and pushed by one of the Defendants police officers. He was immediately re-arrested upon an unlawful charge of criminal damage at 1.00pm. He was released at 4.00pm. The charge of criminal damage as subsequently withdrawn.

8.17 On the 10th August 1994, the Plaintiff was arrested by Sergeant Smith of Barry Police Station (an officer who previously had involvement with the Plaintiff). He was arrested for having no driving licence, was detained for several hours in Barry Police station and eventually released. The Defendants maliciously charged the Plaintiff with driving without insurance but such charge was subsequently withdrawn.

8.18 On the 21st July 1995 a Paul Stringer was observed breaking a window at the Plaintiff's property at 52/53 Tynewydd Road. The said Stringer then headbutted, punched and tried to throttle the Plaintiff in front of witnesses causing him injury. The incident was reported to the Defendants who were made aware not only of the facts of the incident but also the threat of further incidents and PC972 John Johnson, in breach of the duty pleaded in paragraph 5A above negligently refused to take a statement of complaint from the Plaintiff or record in his notebook. On return from registering the complaint, the Plaintiff discovered that the doors had been damaged, as had an internal door. The Plaintiff then again contacted PC Johnson who again, in breach of the duty pleaded in paragraph 5A above negligently refused to take any further action. The incident was recorded by letter to the Defendant's on 21 July 1995.

8.19 On the 23rd July 1995 the police were in attendance at 51/53 Tynewydd Road and observed the said Paul Stringer without provocation attack the Plaintiff, throttle him and push him down the stairs, as a consequence of which the Plaintiff was taken to hospital by ambulance. The Defendant's again in breach of the duty pleaded in paragraph 5A above, negligently refused to investigate the incident or take any action to protect the Plaintiff.

8.20 On the 24th July 1995 the said Stringer tried to gain access to the Plaintiff's veterinary hospital armed with a length of wood. The Defendant's again in breach of the duty pleaded in paragraph 5A above, negligently refused to take any action to provide protection for the Plaintiff, his property or third parties.

8.21 On the 6th August 1995 the said Paul Stringer again attacked; the Defendant's were again called and in breach of the duty pleaded in paragraph 5A above, negligently refused to take any action and on the 7th August 1995 the said Stringer broke windows and caused damage to the Plaintiff's property at 52 Tynewydd Road; the police were called and again in breach of the duty pleaded in paragraph 5A above, negligently refused to take any action.

8.22 Delete - no law

8.23 In May 1995 the Plaintiff was stopped and detained by the Defendant's officer in Barry and required to produce his driving documents which he did. He was maliciously charged with failing to produce and found Not Guilty (Police Ref 33139/a).

8.24 Delete - no law

8.25 Delete - sue Bobbets Mackan - incorrect draft

8.26 In June 1995 the defendants purported to arrest the plaintiff for illegal eviction of a tenant at the house. The defendant well knew and/or had insufficient evidence to justify the arrest and in any event should have conferred with the Local Authority who have direct responsibility for administering administering the Protection Against Eviction Act 1977. The arrest and detention was unlawful.

8.27 Delete - no law

8.28 Delete - sue Bobbets Mackan - incorrect draft

8.29 Delete - no law

9. Further it is alleged and averred the that Defendants had maliciously prosecuted the Plaintiff on the dates hereinafter set out.

- i) 2nd January 1993 when the Plaintiff was falsely an maliciously charged with driving a vehicle without insurance and with NO Test Certificate (refer to paragraph 8.3 above) when the Defendant knew that the Plaintiff had valid insurance and the vehicle, being registered in Jersey did not require a Test Certificate.
- ii) On 20th May an officer of the Defendant arrested the Plaintiff for no apparent or lawful reason and unlawfully took him in handcuffs to the Fairwater Police Station where he was unlawfully detained in custody and charged with:

- a assault with intent to resist arrest contrary to section 38 of the Offences against the Person Act 1861.
- b having an offensive weapon without lawful authority or reasonable excuse contrary to section 1(1) Prevention of Crime Act.
- c being a person whom a Constable had reasonable excuse to believe had committed an offence in relation to the use of motor vehicle on a road failed to supply details to the Constable of his name and address and the name and address of the owner of the vehicle contrary to section 165(3) Road Traffic Act 1981.

and the Crown Prosecution service subsequently, on or about 30 July 1993 discontinued proceedings against the Plaintiff in relation to (a) and (b) above (refer to paragraph 8.6 above

- iii) On 22nd September 1993 the Defendant, by an officer, stopped the Plaintiff at St Nicholas Road, South Glamorgan without giving any lawful reason for his action. He was required to produce his motoring documents which he did at Barry Police Station. Nevertheless on 4th October 1993 he was charged with having no licence. Such charge was subsequently withdrawn (refer to paragraph 8.9 above).
- iv) On 1st October 1993 the Plaintiff was stopped by an officer of the Defendant whilst driving a Triumph Spitfire and on 3rd October 1993 was wrongfully charged with driving such vehicle whilst disqualified from holding or obtaining a driving licence contrary to section 103(1)(b) Road Traffic Act 1988 and with using the said car without insurance contrary to section 143(2) of the Road Traffic Act 1998. Such charges were subsequently withdrawn.
- v) On 3rd October 1993 the Plaintiff was stopped by an officer of the Defendant whilst riding a BMW Motorcycle and was wrongfully

charged with driving the said motor cycle whilst disqualified from holding or obtaining a driving licence contrary to section 103(1)(b) road traffic act 1988 and with using the said motor cycle without insurance contrary to section 143(2) of the Road Traffic Act 1988. such charges were subsequently withdrawn.

- vi) On 4th October 1993 the Plaintiff, when driving away from the he Police Station, having been detained overnight, was again stopped and charged with driving without insurance contrary to section 143(2) of the Road Traffic Act 1988 and driving whilst disqualified from holding or obtaining a driving licence contrary to section 103(1)(b) Road Traffic Act 1988. Such charges were subsequently withdrawn.
- vii) On 15th December 1993, the Plaintiff having been stop and required to produce his motoring documents and having produced them, was unlawfully charged with failing to produce such documents. Such charge was subsequently withdrawn.
- viii) On 9th August 1994 the Plaintiff was stopped by PC Kerslake who, after assaulting him, arrested him, detained him and falsely charged him with driving without insurance. Such charge was subsequently withdrawn.
- ix) On 9th August 1994 the Plaintiff, when seeking his dog at the police station, was manhandled by one Inspector Davies and pushed or dragged on to the door of the Coroner's Officer's car coming into contact with the door mirror. The Plaintiff was then wrongfully charged with criminal damage. Such charge was subsequently withdrawn.
- x) In May 1995 the Plaintiff was stopped and detained by the Defendant's officers in Barry and require to produce his driving documents, which he did. He was charged with failing to produce and found Not Guilty (Police Ref 33139/A)

xi) On 12th May 1996 the Plaintiff was stopped and charged with using a motor vehicle on a road without insurance contrary to section 143(2) of the Road Traffic Act 1988, driving without due care and attention and crossing a solid white line. The Plaintiff was convicted in the magistrates court and the conviction in respect of driving without insurance was quashed on appeal as the Plaintiff had, to the knowledge of the Defendant, a valid insurance at all times.

10. Further it is alleged and averred that the Defendant has falsely imprisoned the Plaintiff on the dates hereinafter set out:

- i) The Defendant was unlawfully detained in custody from 14.20 on 20th May 1993 until 10.35 on 21st May 1993, or thereabouts (refer to paragraph 8.6 and 9(ii) above).
- ii) The Defendant was unlawfully detained in custody on 3rd October 1993 between 17.40 and 19.50 or thereabouts (refer to paragraphs 8.11 and 9(v) above).
- iii) The Defendant was unlawfully detained in custody on 4th October 1993 between 07.50 and 14.30 or thereabouts (refer to paragraph 8.12 and 9(vi) above).
- iv) The Defendant was unlawfully detained in custody on 9th August 1994 between 08.00 and 12.45 or thereabouts (refer to paragraphs 8.15 and 9(viii) above).
- v) The Defendant was unlawfully detained in custody on 9th August 1994 between 13.00 and 16.00 or thereabouts. (Refer to paragraphs 8.16 and 9(ix) above).
- vi) The Defendant was unlawfully detained in custody on 10th August 1994 or thereabouts (refer to paragraph 8.17) above.

11. PARTICULARS OF COST

These details will be disclosed on discovery.

See schedule attached.

12. The Plaintiff therefore claims of the Defendants

- a) Damages
- b) Exemplary Damages
- c) Special Damages
- d) Costs
- e) Interest pursuant to Section 69 of the County Court Act 1984

13. PARTICULARS OF NEW CLAIMS SINCE THIS CAUSE LAST AMENDED
AND SUBJECT TO PARAGRAPH 11 AND 12

13.1a On or about 9 February 1995 the defendant maliciously and without reasonable and probable cause laid an information before local magistrates for the county of Barry sitting at Barry Magistrates against the plaintiff of being pilot in command of a British Registered Aircraft and conducting a flight contrary to the Prevention of Terrorism Act 1989 (Temporary Provisions).

b And procured the said magistrates to issue a summons directed to the plaintiff requiring him to appear before the said magistrates court to answer the said information.

c The defendant knew that clearance had been given for the flight to Eire and so acted partly due to information of an informant known to the defendant.

d The plaintiff duly appeared before the said magistrates' court and the Defendant knowingly committed perjury and presented a falsified

document which caused the Crown Prosecution Service from London to immediately withdraw the action, despite the plaintiff's protestations thus preventing the plaintiff to acquire still further evidence of a conspiracy to pervert the course of justice involving other officers and the informant.

e The Stipendiary Magistrate dismissed the action despite the plaintiff's pleadings.

f In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

Particulars of Special Damage

Set out in full after the civil action against Bobbetts Mackan, Solicitors, holding the files of evidence is successful, when the plaintiff has submitted to the blackmail paying the above exorbitant sums of money for work not done, the work being done being both negligent and possibly in conspiracy with others or as the court so directs.

13.2a On or about May 1996 the defendant maliciously and without reasonable and probable cause caused the plaintiff to stop his motor vehicle and produce driving documents and laid an information before local magistrates for the county of Barry sitting at Barry Magistrates court against the plaintiff of various road traffic offences including driving without due care and attention, crossing a single white line and driving without insurance contrary to the relevant road traffic acts.

b And procured the said magistrates to issue a summons directed to the plaintiff requiring him to appear before the said magistrates court to answer the said information.

c The Defendant knew that the plaintiff crossed the white line at below ten miles per hour to avoid an elderly cyclist and caused no incident of driving without due care and attention, driving without insurance, driving without current MoT certificate, the defendant failing to procure witnesses or investigate complaints made by the plaintiff within a few minutes of the said incident.

d The plaintiff duly appeared before the said magistrates' court and the said court, after the summary trial of the said information, found in favour of the defendant's causing the plaintiff's licence to be suspended.

e The Plaintiff duly appealed to the Crown Court, the latter finding in favour of the plaintiff on all charges.

f In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

Particulars of Special Damage

Set out in full after the civil action against Bobbetts Mackan, Solicitors, holding the files of evidence is successful, when the plaintiff has submitted to the blackmail paying the above exorbitant sums of money for work not done, the work being done being both negligent and possibly in conspiracy with others or as the court so directs.

13.3a On or about January 1997 the defendant maliciously and without reasonable and probable cause caused the plaintiff to stop, accusing him of not wearing a seatbelt and to produce driving documents and laid an information before local magistrates for the county of Barry sitting at Bridgend Magistrates Court against the plaintiff of charges including no wearing of seatbelt, defective rear lights, defective windscreen, defective bumper, driving without insurance, driving without current MoT certificate and failing to produce driving licence, insurance and MoT certificate contrary to the relevant road traffic acts.

b And procured the said magistrates to issue a summons directed to the plaintiff requiring him to appear before the said magistrates court to answer the said information.

c The defendant knew that the condition of the windscreen, the rear lights and the bumper was not in breach of the law. The defendant also knew that the plaintiff produced the relevant driving documents at a Police

Station, the duty officer of that police station communicating directly with the officer in the case, all within the statutory period for production.

d The plaintiff duly appeared before the said magistrates' court and the said court, after the summary trial of the said information found the plaintiff guilty of driving without insurance and current MoT certificate and failing to produce driving licence, insurance certificate and MoT certificate and having a defective vehicle on all counts having withdrawn the summons of failing to wear a seatbelt, the excuse for stopping the plaintiff in the first place. The magistrates imposed a six month ban with immediate effect due to the totting up points procedure despite this appeal and another appeal (paragraph 13.2 above) already lodged with the Courts.

e The Crown Court found in favour of the plaintiff on all charges on both appeals, the court hearing evidence that the police officer in this action had had a conversation with another supporting the fact that the plaintiff's driving documents had been produced in accordance with the law. Further, at the Crown Court the presiding judge reprimanded the police officer for knowingly altering the police copy of the originally issued HORT 1 to support a conviction.

f In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

Particulars of Special Damage

Set out in full after the civil action against Bobbetts Mackan, Solicitors, holding the files of evidence is successful, when the plaintiff has submitted to the blackmail paying the above exorbitant sums of money for work not done, the work being done being both negligent and possibly in conspiracy with others or as the court so directs.

13.4a On or about October 1997 the defendant forwarded to the plaintiff information relating to an alleged speeding offence, caught on camera, seeking the identity of the driver of the plaintiff's registered vehicle.

b The plaintiff duly identified the driver supplying his name and address.

- c The defendant maliciously and without reasonable and probably cause laid an information before local magistrates for the county of Barry sitting at Barry Magistrates Court against the plaintiff relating to a traffic offence at St Nicholas, Vale of Glamorgan.
- d And procured the said magistrates to issue a summons to the plaintiff requiring him to appear before the said magistrates court to answer the said information of exceeding a thirty mile per hour speed limit.
- e The defendant knew, prior to the hearing, that the plaintiff was not the driver, both the photograph and the plaintiff having identified the driver of the plaintiff's registered vehicle and the defendant taking no action to contact the said driver, known to them.
- f The plaintiff duly appeared before the said magistrates' court and the said court, adjourned the matter, part heard, for the plaintiff to produce information.
- g At a subsequent magistrates hearing information was heard that led to the defendant withdrawing the action. The plaintiff arrested the lawyer for perverting the course of justice asking the defendant to seize the court file and prosecution file.
- h The defendant refused to seize the file, take statements or properly investigate the information laid by the plaintiff.
- i In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

Particulars of Special Damage

Set out in full after the civil action against Bobbetts Mackan, Solicitors, holding the files of evidence is successful, when the plaintiff has submitted to the blackmail paying the above exorbitant sums of money for work not done, the work being done being both negligent and possibly in conspiracy with others or as the court so directs.

- 13.5a On or about 16 March 1998 the defendant maliciously and without reasonable and probable cause stopped the plaintiff in his vehicle on the pretext of an alleged driving offence. The plaintiff was arrested and detained in custody after an alleged positive road side breath test. The plaintiff was then reported for driving without due care and attention and released from custody. The plaintiff was made to produce his driving documents.
- b All proceedings were withdrawn in the plaintiff's favour.
- c The Defendant knew that the plaintiff had not committed a traffic offence to cause him to be stopped, the plaintiff having previously stopped at the site of the alleged offence for a car accident to offer medical assistance until the ambulance arrived.
- d The defendant knew that the plaintiff had no indication of having consumed alcohol or drugs, had not failed a roadside breath test and had refused the plaintiff a breath test at the police station.
- e In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

Particulars of Special Damage

Set out in full after the civil action against Bobbetts Mackan, Solicitors, holding the files of evidence is successful, when the plaintiff has submitted to the blackmail paying the above exorbitant sums of money for work not done, the work being done being both negligent and possibly in conspiracy with others or as the court so directs.

13.6.a At the Vaie of Glamorgan Agricultural Show on the 19 August 1998 the defendant refused to take a statement of complaint of the plaintiff being assaulted by Davies and Turner.

- b The plaintiff was maliciously and without reasonable and probable cause illegally arrested at the scene.

- 1) The plaintiff was illegally detained including the use of CS gas in his face.
- 2) The plaintiff was illegally detained in custody throughout the night, requesting at regular intervals the reason for his original detention and the reason for his continuing detention contrary to the regulations. He was given no explanation.
- 3) In custody the plaintiff was refused a copy of the charge sheet.
- 4) In Barry Magistrates on the 20 August 98 the plaintiff was refused a copy of the charge sheet.
- 5) In Barry Magistrates on the 20 August 98 the court told the plaintiff it was for the defendant to tell the plaintiff why he was arrested and kept overnight in a police cell.
- 6) Whatever information was before the Magistrates, the Clerk of the Court, in the absence of the plaintiff persuaded the defendant to withdraw it stating that the plaintiff was likely to deny it if put to him leading to a mandatory prison sentence.
- 7) In Barry Magistrates the plaintiff said 'if I am being released why was I detained?' he received no reply.
- 8) In Barry Magistrates the defendant made no statement.
- 9) In Barry Magistrates no mention of bail or recognisance's were mentioned by anyone.
- 10) The plaintiff left Barry Magistrates believing the matter to be over where the defendant was concerned.
- 11) The plaintiff left Barry Magistrates to prepare yet another record of false imprisonment and act of harassment by the South Wales Police.
- 12) The plaintiff left Barry Magistrates not knowing then that there had been a meeting of freemasons including Mr A G Thomas, show organiser, security guards involved in the incident and the Head of the Barry Police force, Colin Jones, a fellow member of a secret society, where the incident was discussed at length.
- 13) On the 2 October 98 the plaintiff received a letter from the Bridgend Court stating a hearing date of the 29 October but with no indication as to its reason.
- 14) On the 29 October a hearing took place in the plaintiff's absence with three new charges now before the court and

known to the prosecution witnesses present.

- 15) The plaintiff did not attend due to his prolonged stay in Llandough hospital.
- 16) The plaintiff attended Bridgend Magistrates on the 7 January 1999 and overheard the defendant say in the foyer they would hand him something once he was in court.
- 17) During court proceedings the plaintiff was handed for the first time the three new charges.
- 18) The plaintiff asked the Clerk of the Court to make notes in a bound book of his applications and refusals and to take contemporaneous notes of the defendant's excuses as to why they had deliberately delayed notifying an accused person.
- 19) The Clerk of the Court refused but wrote a lot of notes on little yellow tags generally used for marking pages.
- 20) The defendant told the court that they were served on the 27 November on the plaintiff at his veterinary hospital in Barry. This was a deliberate lie being a date the plaintiff would not have forgotten.
- 21) The clerk of the court noticed they were original documents.
- 22) The defendant then back tracked saying they had difficulty in serving the summons' on the plaintiff because he had been in hospital. This was a deliberate lie.
- 23) The case proceeded with the defendant withholding witness statements applied for by the plaintiff despite him having previously applied, the defendant either denying they existed or were not relevant.
- 24) The plaintiff reminded the court, as he did in the Crown Court on the 22 April 1999, the obligations of the court and prosecution under **Article 6 of the European Charter of Human Rights**.
- 25) The defendant deliberately withheld the charges from the plaintiff for about five months, taking from statements in December, some of which were denied or withheld in open court.
- 26) The plaintiff was asked if he had any witnesses to be called, his reply being how could he if it was only now that he was aware of the alleged offences?

- 27) The case proceeded with no attempts to allow the plaintiff to take legal advice or seek witnesses relevant to the incident. The defendant stating that he'd had ample time to seek, interview and summons witnesses for the hearing.
- 28) (At the original incident the plaintiff had asked the general public to call the defendant because he had been assaulted by Davies and then Turner and asked the crowd to be witnesses and to put themselves forward to the defendant when they arrived).
- 29) The plaintiff left the court part heard having established evidence on oath by a number of witnesses that he had been assaulted by Davies (ex police inspector) and Turner.
- 30) The plaintiff wrote to the Bridgend Court on the 4 February 1999 applying for clarification in the matter but was refused any information before the continuation of the hearing on the 2 March 1999.
- 31) The plaintiff made a statement of complaint to the defendant on 11 January 1999 including complaint of perversion of justice, assault and perjury.
- 32) The defendant has refused to investigate and tried their usual ploy of 'treacle treatment' by first denying they had received the plaintiff's statement of complaint sent and recorded deliberately by a third party.
- 33) On the 2 March 1999 the case proceeded, the clerk of the court again refusing to record his applications and refusals.
- 34) The plaintiff attempted to make an application for witness summons' to be issued and for an adjournment to interview and take statements from witnesses at the scene and the custody officer, security guards not called and the clerk of the Barry Magistrates - the plaintiff was refused the right to make any applications at all, the court saying he could only do it after the end of evidence.
- 35) The defendant supported the magistrates telling the court that the plaintiff was deliberately delaying proceedings with Turner waiting to give further evidence.
- 36) This was a deliberate conspiracy to pervert the course of justice.

- 37) Turner had only been recalled because, on cross examination, it was established he had taken contemporaneous notes now in the possession of the police when making his written statement in September and his extra statement in December.
- 38) The court refused the plaintiff a copy of those notes that were materially different to that of his evidence in chief and cross examination evidence.
- 39) During the court hearing the defendant referred to their note books and the plaintiff was promised a copy of them before the end of the days proceedings.
- 40) The plaintiff only received them a few days before the appeal. (Received 17 April).
- 41) Both police officers confirmed the correct procedures when arresting and detaining an accused.
- 42) Both police officers could not give an explanation why the plaintiff had not been told the reason for my detention overnight in a police cell.
- 43) When the three different charge sheets made exhibits by the plaintiff, as the charged person and the offence relating to public order the defendant in the case being Walters neither he nor the Inspector could explain why they were all different and why the court record at Barry showed that there were no continuation charges from the incident for which they had now given evidence.
- 44) Neither police officer was re-examined on the matter leaving no doubt in the court that the procedure in custody (notifying prisoners rights, giving the plaintiff a charge sheet etc.) nor the conduct in the Barry Court was legal.
- 45) Despite the two police confirming the illegal conduct the case proceeded, the plaintiff having warned the court in advance by letter of 4 February and his applications on the first day that this would be proved.
- 46) At 3.40 the plaintiff made a submission of No Case to Answer which was not accepted.
- 47) At 4.35 the plaintiff made application for above witnesses to be interviewed or called to give evidence. All were refused.
- 48) The plaintiff was convicted on all charges with costs against

him.

- 49) On the 30 March the plaintiff received a letter from Cardiff Crown Court dated 24/3/99 asking for his appeal documents.
- 50) The Bridgend Magistrates refused to supply the plaintiff with the exhibits or a list of the prosecution and defence exhibits in the hearing. Confirmed in writing on 12 April 1999.
- 51) On the 21 April the plaintiff received his first notification of a hearing date for the Appeal less than 24 hours before.
- 52) The prosecution outlined the case stating '*detention was authorised to prevent a further breach of the peace*'.
- 53) The plaintiff made an application that he could not be tried twice for the same offence and that the defendant from the very outset of the incident deliberately conspired to pervert the course of justice.
- 54) The defendant lied when they said there were no proceedings in Barry Magistrates.
- 55) Defendant adjourned despite the plaintiff's application to the contrary.
- 56) They returned to say the Barry proceedings was a separate matter.
- 57) This was the very first time the defendant have spoken about the cause of my custody and under what charge the plaintiff was detained, other than the clerk of the court saying these were new charges (on appeal) the defendant now withdrawing an original charge. (During the Bridgend proceedings the plaintiff extracted three versions in writing made as exhibits).
- 58) The defendant when pressed by the Judge admitted they had record of the plaintiff being detained in custody, appearing in Barry Magistrates and being **released on bail**.
- 59) The plaintiff asked the court to seize that record before it was destroyed. The plaintiff was refused.
- 60) The judge pressed the defendant and asked if this was a separate incident, the defendant responding they are 'one in the same'. The plaintiff said he was a 'bloody fool'.
- 61) The defendant was unable to tell the court what the plaintiff was in Barry court for.
- 62) A deliberate lie to pervert the course of justice.

63) The judge stopped proceedings against the plaintiff's wishes which will give the defendant the opportunity to conspire with court officials and the police to concoct a defence and destroy the very records that the plaintiff was entitled to as a prisoner and from his applications in all three courts.

64) The plaintiff has failed to establish what information was before the Barry Magistrates on 20 August 1998 because the defendant has maliciously obstructed justice.

- c The defendant procured the said magistrates to issue something directed to the plaintiff requiring him to appear before the said magistrates court on 20 August 1999 to answer the said something, whatever it was but not known to the plaintiff.
- d The plaintiff duly appeared before the said magistrates' court and the said court, after the summary trial of the said something, accepted the withdrawal of something by the defendant, refusing the plaintiff costs.
- e The defendant continued to conduct an Abuse of Process hearing even in the Crown Court deliberately conspiring with agents namely the Crown Prosecution Service, police officers and an ex police officer to pervert the course of justice.
- f For example, the evidence given on oath by the defendant's solicitor relating to a purported complaint leading to the plaintiff's appearance before Barry Magistrates on the 20 August 1998 portrays the malicious conduct of the defendant's barrister and string of CPS witnesses in an attempt to hide the truth and protect members of their profession.
- g During the Crown Court hearing of May 1999 Davies again assaulted the plaintiff but the defendant again made no attempt to take statements or cause a proper investigation.
- h In consequence of the matters aforesaid, the plaintiff was personally injured and injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

13.7a On Sunday 4 July 1999 the defendant maliciously and without reasonable and probable cause scrambled a police helicopter to chase the plaintiff's British Registered Aircraft, registration G-KIRK, inside a Class D Air traffic Control zone.

b The said helicopter flew within such a distance as to be in breach of Article 55 and 56 of the Air Navigation Order 1996. After the plaintiff's aircraft had landed the defendants continued to be in breach of the law including 5(i)e of the Rules of the Air, ANO 1996 having no reasonable or probable cause to so endanger the plaintiff or his aircraft or conduct a flight within 500ft of the plaintiff or his aircraft. The defendants were also in breach of the regulations laid down in the police air operations certificate.

c Further, Air Traffic Control Cardiff were instructed not to inform the plaintiff of the close proximity of the said helicopter and were instructed not to pull the tapes as requested by the plaintiff to support this claim of continuing police harassment.

d The defendant had no reasonable or probable cause to so endanger the plaintiff or his aircraft and that the defendant wrote a letter to the plaintiff dated 2 September 1999 which was false and that the plaintiff suffered personal injury, loss and damage as a result.

e In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, personal danger and has suffered loss and damage.

13.8a On 8 August 1999 the defendant maliciously and without reasonable and probable cause caused the plaintiff to be arrested for supplying a positive specimen of breath at the roadside.

b The defendant, upon receiving two specimen's of breath at the police station with two zero measurements from the plaintiff, proceeded to falsely imprison the same whilst the arresting officer returned to the

plaintiff's vehicle on the purported excuse of needing the registration number.

- c The defendant ordered that the plaintiff bring to the police station, within the statutory period, his certificates of insurance and MoT.
- d The defendant laid an information before local magistrates for the county of Barry sitting at Barry Magistrates Court against the plaintiff of failing to comply with a red light signal, driving without insurance and Mot Certificate and failing to produce insurance and MOT certificate
- e And procured the said magistrates to issue a summons directed to the plaintiff requiring him to appear before the said magistrates court on 12 November 1999 to answer the said information.
- f The defendant knew that the plaintiff had no indication of having consumed alcohol or drugs.
- g The plaintiff duly appeared before the said magistrates' court and the said court after the summary trial, of the said information and pleaded Not Guilty to the charges. Despite the plaintiff wishing to proceed at that time, the magistrates adjourned the matter to be heard at another court, the Clerk indicating that it would be of benefit to the plaintiff, he being known to the magistrates. The plaintiff is also known to the magistrates at the alternative court, Bridgend.
- h In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

13.9a On 1 December 1995 the defendant maliciously and without reasonable and probable cause stopped the plaintiff in his vehicle. The defendant refused to give the plaintiff any explanation. The defendant then forced entry into the vehicle and demanded a roadside breath test. The plaintiff was arrested and cautioned for failing to give a breath test, the plaintiff now spoke repeating all the conversation that had been uttered asking that it be taken down and used in evidence.

- b The plaintiff was denied medical attention or served his rights but instead manhandled into a drunk cell.
- c Two specimens of breath were taken by the custody officer, the plaintiff being refused a copy of his custody records and the analysis, the latter recording two zero measurements.
- d The plaintiff was ordered to leave the police station and to take his insurance and MoT certificates to either Llantwit Major or Barry police station, he having produced his driving licence.
- e The defendant knew the plaintiff before the alleged offence, of failing to supply a specimen of breath, knowing no traffic offence had occurred nor had the plaintiff refused to supply a specimen of breath at the roadside.
- f The defendant knew the plaintiff had no indication of having consumed alcohol or drugs
- g The defendant caused the plaintiff to be deprived of the motor vehicle - since the incident.
- h In consequence of the matters aforesaid, the plaintiff was injured in his reputation and was put to considerable trouble, inconvenience, anxiety and expense and has suffered loss and damage.

20 December 1999

BETWEEN:

Maurice John Kirk

Plaintiff

and

South Wales Constabulary

Defendant

SCHEDULE OF SPECIAL DAMAGES

8.2	Loss of use of car - two months. Hire car - eight weeks	£800.00
	Loss of use of mobile telephone	£300.00
	Letters 8 @ £10	£80.00
	Telephone calls 19 @ £5 each	£195.00
	Paid agent, time and expenses, travel from Barry to Chepstow (4 hours per trip) to collect car. First visit, defendants refused to hand over car	£150.00
	When car collected	£150.00
	Repair to ignition system	£25.00
8.3	Visit to produce documents at Barry PS (40 minutes)	£60.00
	Telephone calls 8 @ £5	£40.00
	Letters 4 @ £10	£40.00
	Loss of work?	
	Prepare for trial - 7½ hours at £60 per hour	£450.00
8.4	Telephone calls 6 @ £5	£30.00
	Letters 2 @ £10	£20.00
	Damage to door/lock/frame	£210.00
8.5	Attend Barry Magistrates x 2 times - £60 per hour	
	1)	£100.00
	2)	£120.00

Attend Cardiff Crown Court, trial and waiting time	£180.00
Two Witness expenses, Scott Parry and representatives of the tyre company	£220.00
8 letters written	£80.00
Telephone calls 12	£60.00
Locum tenens for court - two days at £150 per day	£300.00
Prepare for trial and appeal - £60 per hour	£800.00

8.6	Locum tenens 4 days (whilst Plaintiff was in Cardiff Prison £600.00)	
	Accommodation for locum	£100.00
	Estimated damage to BMW motorcycle	£280.00
	Collection and inspection of motorcycle	£245.00
	Loss of motorcycle for four days at £25 per day	£100.00
	Letters 8	£80.00
	Telephone calls 18	£90.00
	Prepare for trial including support staff for four hearings	£800.00

8.8	Letter	£25.00
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8.9	Preparation for trial and attending trial - 6 hours	£350.00
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8.10

8.11	Preparation for trial - 5½ hours	£325.00
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8.12	Preparation for trial at Magistrates Court	£300.00
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8.13	Depreciation of damage to cycle due to delay	£422.00
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8.14	Preparation for trial and attending hearing	£325.00
	Telephone calls 6	£30.00

8.16 ~~Unlawful detention on two days - 8 a.m. to 4 p.m. = 12 hours~~
~~and 10 a.m. to 1 p.m. = 3 hours at £80 per hour~~ £800.00

8.18	Repair one window	£84.20
	2 doors (smashed) and frames	£310.10
	Paint and materials	£14.54

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8.22	Loss of ambulance with contents Telephone calls 6	£2200.00 £30.00
8.23	Preparation for trial, 2½ Attend court. Locum tenens, one day	£200.00 £150.00
8.24	Theft of citreon (C86 NAN) Police refusal to release name of thief (caught) Car value	£2,000.00
8.25	a) Damage to property by police Shelter door (crow barred)	£480.00 plus vat
	b) Damage by A Gafael:-	
	i) ceiling/electrics water damage	£622.00 plus
	ii) Broken window/door	£124.00 plus VAT
	iii) Clean eggs/paint off walls, windows, doors	£132.00
	c) Loss of use of flat (2 months)	£320.00
	d) Locum £150 per day	£300.00
	e) Publicity	£3000.00
	f) My loss of work	£2000.00
8.26		
8.27	Repair to spit fire	£450 (?)
8.28	Value of Propellor	£1500
8.29	The amount of fine and costs imposed by the Court.	

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 Bobbets Mackan
 20a Berkeley Square
 Clifton
 Bristol BS8 1HP
 Solicitors for the Plaintiff

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PARAGRAPH 8.19
PARTICULARS OF CLAIM FOR PERSONAL INJURIES

The plaintiff sustained 2 visible bruises each measuring 4" x 2" to the lower lumbar region of the back with partial paralysis of both legs for 24 hours. The plaintiff also suffered pain from the torn ligaments and fibres of the epaxial musculature in that area.

The plaintiff was in a non ambulatory state requiring his transportation to the Cardiff Royal Infirmary by ambulance.

The plaintiff was discharged later that day and was unable to work in his capacity as principal of the practice for one week.

The plaintiff required co-dydramol by mouth, three times a day for seven days.

The plaintiff still suffers intermittent back pain in the lumbar area six or seven times a year for a period of two to three days, on each occasion requiring various analgesics by mouth.

It is anticipated that there will be permanent disability to the plaintiff's spine and that there may well develop some post traumatic arthritis in the future.

Shock, pain, suffering.

PARAGRAPH 8.21
PARTICULARS OF CLAIM FOR DAMAGE TO PROPERTY

Item	Value
Two chairs at £40.00 each	£80.00
Repairs to front Bay window, louvered windows and kitchen window, including labour and VAT	£332.18
TOTAL AMOUNT	£412.18

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