

year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

The RCVS later refused all 30 odd 'witnesses of fact' relating to the convictions, to include 'victims', complainants, eye witnesses and huge investigating teams from both the RCVS and police forces of England and Wales causing Mr Kirk to appeal to the Court of Appeal.

The Court of Appeal [Sullivan J] also refused Mr Kirk any of the above witnesses with no written evidence to support, before him, what so ever other than Sir John Wood said so.

The RCVS, weeks later, did the quite unexpected and arranged, unlawfully, hand picked policemen and others, some already blocked from giving evidence by the Court of Appeal and their own retired judge, Legal Assessor, Sir John Wood, to come with or without 'witness summonses' to be defence witnesses, without the prior knowledge or consent of Mr Kirk!

Mr Kirk has been struck off the Veterinary Register for at least 6 different reasons, to date, following a complaint by the South Wales Police in 2001 and so the college used the 'cumulative affect' of convictions [June 2004 Privy Council judgment] from the police.

RCVS personnel and lawyers employed outside all enjoy the advantage, today, contrary to Article 6, by having adopted the complainants as their 'clients' in order to examine Mr Kirk's confidential police records, in Barry police station no longer contrary to Home Office Regulations 87/45.

No contemporaneous note taken by RCVS from Mr Kirk's own clients or South Wales Police has ever been **disclosed**.

Some 'convictions' relied on by the RCVS, to have Mr Kirk struck off, have now been proved, in other courts, to have been fictitious.

The Information Commissioner for the Data Protection Act has accepted information from Penningtons, solicitors, for the RCVS, that all

contemporaneous notes obtained from any witnesses by the RCVS or police, favourable to Mr Kirk included, yet to be identified, are all 'privileged' between lawyer and their 'client'.

Mr Kirk humbly believes their conduct is criminal and requiring the appropriate Court of Appeal action as countless statements of complaint to various police forces has been, effectively, completely ignored. .

Convictions before RCVS and their Judicial Review Applications to the Royal Courts of Justice , London.

About 36 JR Applications were lodged by Mr Kirk between 1996 to Oct 2002 and have been considered by Lord Justice Andrew Collins, the manager of the Administrative Court of the Royal Courts of Justice before he handed down an Extended Civil Restraint Order [ECRO} in January 2006 during a 3rd JR Application against the RCVS to re instate him as a veterinary Surgeon.

[ECRO means no new Action can be instigated by Mr Kirk in any of the courts of England and Wales against any one without first getting His Lordship, Lord Justice Collins gives consent].

To date he has,

- a. Refused Mr Kirk witness summonses to be served for 'character witnesses' for 4th application to be re instated in 6th Oct 06. at the RCVS court.
- b. Refused Particulars of Claim to be served on Fortis Insurance Company for loss and hospitalisation when Mr Kirk crashed his light aircraft in Kanazawa City, Japan.
- c. He has refused Particulars of Claim to be served on the Home Secretary [Treasury Solicitor] following 7 days false imprisonment in HM Cardiff prison when each HM authority, in turn, refused to take cash, in lieu of prison term, even with his distraught wife outside the gate with the 'readies'.

He will,

d. Refuse court application 'a'. needed, again, NOW for Sept 07 court hearing before RCVS, Horseferry Road, London in Mr Kirk's 5th application to practice veterinary surgery.

But unknown to Mr Kirk, all at this time, the Attorney General and Treasury Solicitor [their 2003/4 letters as exhibits] had 'declared an interest' in all Mr Kirk's ongoing and previously settled civil and criminal cases. Their enquiry proceeds today including the further destruction of evidence against The South Wales Police and on whom they directly represent.

The 'declared interest' in their letters included the Privy Council Appeal, 'to practice veterinary surgery', due shortly, in Jan 04.

Alison Foster QC had repeatedly lied in 2002 and 2003 for Penningtons, lawyers who had lied for Mr Gordon Hockey, lawyer for the Registrar, lawyer for the Royal College of Veterinary College who may have lied to college Council for the membership, including my father, late uncle and my wife and a few thousand others currently being ridiculed with this undisputed wicked conduct of people in positions of privilege.

Lord Justice Hutton suggested Miss Foster QC was, "only acting under orders". Court proceedings have since proved her a liar when she said, apart from other things, there had been '**Full Disclosure**' to Mr Kirk.

What occurred then, before the Judicial Committee, is also on court record but Mr Kirk is refused any record of any of the 7 Privy Council court cases other than the Judgments.

In 4 Humble Petition hearings for **Failed Discovery** in January, April, June and around Dec 03 revealed the RCVS repeatedly lied [see court record] Foster QC was found to have allowed forged witness statements, including one from a magistrate, falsified the list of convictions relied upon and even, before serving them on Mr Kirk, declared them as authentic and hiding witnesses by giving Mr Kirk false addresses. The list is not exhaustive.

RCVS deliberately employed a Legal Assessor for the trial who they knew full well was not medically fit. He was mentally ill and quite unfit for the task [see transcript and hear tape] and therefore, in law, not 'competent'. These same lawyers withheld favourable witnesses for Mr

Kirk and are in possession of favourable statements as yet undisclosed [see transcripts].

The RCVS conspired with the South Wales Police, defendants currently before the Court of Appeal, in order to get access and copy my confidential police record, contrary to Home Office Regulations 87/45.

In return for the favour by the police Penningtons agreed to write to Mr Kirk on the 23rd December 2004 [exhibit] a carefully worded letter that could stop Mr Kirk effectively ever being allowed to practice veterinary surgery again.

To agree the Royal College written terms, in order to practice, Mr Kirk , upon legal advice now from UK, USA and other parts of Europe, by withdrawing proceedings against the RCVS complainant, the police, with substantial loss in a case now running 15 years, is tantamount to blackmail , if not illegal.

Members from within the College, not in agreement, have attempted to re write the 'conditions' in order for Mr Kirk may practice as the Privy Council Judgment almost 'demands' he is to do within the year.

Unfortunately, with 6 versions as to how Mr Kirk was struck off, now in court circulation, compounded with the problem that a similar number of RCVS 'conditions' as to how he may again be allowed to practice is just a little too much for Mr Kirk to comprehend and is a direct breach of Article 6.

Mr Kirk 'hopes' it can be sorted by way of the same **Abuse of Process** enquiry directed, for the moment, at HM servants and South Wales Police.

What has brought this application about just now is because:

Mr Kirk, on the 16th July 2007, at Cardiff Civil Justice Centre examined a much worn [redacted] marked in red, TREASURY SOLICITOR found in the box marked BS614159 (Kirk v South Wales Police).

The pink file was not there before, on numerous visits in the past with written consent from Sir Nicholas Chambers QC, the Management Judge and by prior appointment. Again, this time, the embarrassed court staff

and the not so embarrassed said the 6 boxes of 15 years litigation 'could not be found'.

This situation has been going on over years.

(photos of all these files can be made available if there is any confusion as to dates when Mr Kirk's evidence went 'missing' to whom?)

. Mr Kirk informed Lord Justice Thomas, on the 17th July, in Cardiff Court of Appeal, about this **failed Disclosure** and relevance to his being refused the right to practice veterinary surgery and inability to instruct a barrister on why he was entitled to have a jury, currently granted by the Management Judge but refused by Lord Justice Jack, Lord Justice Maurice Kay and before him on the 31st July 2007..

Mr. Kirk, on the 19th July finds the red file has been switched in the Cardiff Justice Centre with a **green column file** without the same content.

Unless there are 2 files, marked for the Attorney General, in which case Mr Kirk applies for an adjournment to examine said file.

RCVS JR Applications

The first 2 RCVS JR Applications of Nov 2004 and early 2005 for 1st and 2nd RCVS refusals by the RCVS went finally before Lord Justice McComb who admitted [see transcript] he had not had the time to read the court file nor was there any need to.

Now, in July 2007, Mr Kirk understands why. The file was marked 'Vexatious Litigant'

[At the start of proceedings for the day, another judge in the Royal Courts of Justice, upon seeing Mr Kirk's name as the applicant, **recused himself** and returned the court file to staff to find another judge. 13 minutes later, witnessed by a stranger, then, a Mr Patrick Cullinane Esq, interested in the similarity to his own case of HM Income Tax and **Failed HM Disclosure**, witnessed Lord Justice McComb proceed in dismissing both Actions giving Mr Kirk the RCVS costs to pay, well exceeding £12,000.

Similarly, Lord Justice Maurice Kay did not need to read CO/4118/02 application for costs (circa £20,000) in 2002 and **Disclosure** when Mr Kirk had won the Crown Hearing without even calling evidence or CO/4574/02 Application for **Disclosure** or for B2/2006/2307 for Mr Kirk's basic right to have a jury, under sections 66 and 69, before him a few weeks ago.

There was a note on his desk, on behalf of the Attorney General and or a red and or a green file and or all 3 but telling Lord Justice Maurice Kay that:

“Kirk is a ‘Vexatious Litigant’ so don’t waste time reading his file”.

The Court of Appeal on the 17th July 2007 disclosed the fact Lord Justice Maurice Kay did not read the court file as Lord Justice Thomas, (picked up on microphone) had also not read the court file, relying on the previous judge, the very reason why an oral hearing was obtained for by Mr Kirk at huge personal expense [His annual salary in his first year as a veterinary surgeon].

Refused costs for the barrister, who was only there in order to lay proof it was not ‘out of time’ despite every devious method applied by the British Judiciary over 20 months to try and achieve it, was typical conduct in Mr Kirk’s experience of the stench of a British court.

The next Administrative Court hearing for the RCVS, after Lord McComb in 2005, was on 25th January 06 by the manager of the courts, himself, Collins J by promptly handing down the equivalent to a Vexatious Litigant Order, the above ECRO, telling the RCVS, privately, ‘you can have no further costs from now on as there will be no need for you to attend again’.

A similar ‘missive’, no doubt has winged its way to Cardiff for the police case, this one, the other reason for handing down an ECRO without merit.

The Relevance of the 25th January 2006 ECRO

Justice Andrew Collins sat on, at least, 8 JR Applications and is expected to have examined the 36 on the Attorney General’s LIST.

Mr Kirk's successful Judicial Review and other relevant applications to the UK courts speaks volumes, deliberately absent from the Attorney's edict of 5th August 2003 and may indicate to web site readers around the world the scale of the task Mr Kirk and other 'litigants in person' have when seeking redress by the rule of law.

The appeal from the ECRO was **not** 'out of time' as ruled by the RCJ as Lord Justice Collins wrote, in his own fair hand, asking me, personally, for 'further and better information' on the matter.

This was confirmed by Mr Kirk's visit to the RCJ with Mr Patrick Cullinane Esq as my witness.

Explanation, samples below, for a request for proper enquiry into the 'Abuse of Process' and trial to be fixed, will not be just be for 8 JRs carrying 'no merit' or were 'delay tactics', as described by Collins J, but will be for the 40 odd before investigation displaying widespread abuse.

No consideration is given by Mr Kirk, unless requested, for the remaining 20 or so that were heard in Downing street whilst as a resident of a 'dependant territory' complaining of the very same things, if not worse, with a similar run judicial system but in a tax haven.

My 8 humble petitions to Her Majesty against the RCVS including when the Registrar for the Judicial Committee even refused admitting receiving one, [all citing **HM Failed disclosure**], when 'registered post', 'person to person', may give some light as the scale of the problem for a U K citizen.

A subsequent most humble petition to another of Her Majesty's addresses caused a reply, eventually, from the secretary of the HM Privy Council.

He stated, effectively, 'no application of any sort relating to anything, even touched upon on, in any applications previously or in the future will be considered by the Judicial Committee to the Privy Council' contradicting totally promises from so many government departments, scattered around London, contacted over the previous 20 years!

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8 JRS with Lord Justice Collins mark on

1. CO/1637/98 Planning Application

Mr Kirk was refused planning consent for a veterinary surgery because the Welsh Office ruled "There would be difficulties in turning cattle trucks in Cowbridge High street". Since when has Mr Kirk had a cattle truck visit his surgeries in the 15 years he has been in Wales?

2. CO/1013/00 Failed Disclosure by CPS/Conspiracy

11 applications ignored by single lay magistrate. CPS had, yet again refused to disclose evidence and custody records ordered by others.

Incident included imprisonment for kidnapping a child from Clifton school, attempted robbery, assault, criminal damage, drink drive and failure to supply a specimen.

All charges were later either withdrawn or won with Stipendiary Magistrate, demanding case stop part heard rebuking the CPS for bringing the case.

3. CO/1795/00 Failed Disclosure by CPS/Conspiracy

Under new charge of Section 5 Public Order CPS refused again same list for **Discovery** entitled under the law. Mr Kirk is again refused full custody records.

4. CO/ /01 Failed Disclosure by CPS/Conspiracy

Charged: Dangerous Driving, no insurance.

Refused full custody records.

JR refused

Later, jury complained [see website photos of their notes] of police Inspector in the well of the court, on instructions of Barry police station to be there 'to observe' [see transcript] signalling to the arresting officer, in the witness box, after each question and before the answer during cross examination.

Case, much later, stopped and jury ordered to find a 'Not Guilty' verdict Mr Kirk was jailed for suggesting what might to be done, under the well witnessed circumstances of perjury and other unlawful conduct.

Case won with no compensation.

[2nd CO//01 JR, after Mr Kirk's Release from prison, conveniently buried by RCVS as a conviction to get him struck off because the circumstances surrounding the incident was Mr Kirk's best example, yet, of what actually caused him to have to spend so much of his miserable life fighting the filth also immune to prosecution by Royal Charter]

5. CO/3826/01 Failed Disclosure by CPS/Conspiracy

From the cells Mr Kirk asked the RCVS, next door to Horseferry magistrates, London, to witness, first hand, the hearing. The complainant, a big, black bulley, bigger even than Mr Kirk, was denied as a witness for the defence.

Mr Kirk, broken arm in plaster, struggling with court papers from Lord Bingham's no. 4 court at RCJ, brushes past a member of rail services at Paddington station with heavy suit cases, late for a train. The police at the scene simply asked Mr Kirk for an apology and there would be no more action.

'Common assault' charge was only pursued by CPS following a 'concurrent charge' of being 'drunk' failed in another magistrates court, deliberately the other side of London, was dismissed by a Stipendiary magistrate when she realised why the police continued to refuse to produce the police doctor or hand over custody records. It may have been