

Maurice Kirk £50,000 Judgment against HM Cardiff Prison Overturned

This chronology of events illustrates why victims, representative of financial exploitation and legal oppression in the UK, have approached¹ the EU Commission for Justice, Fundamental Rights and Citizenship: there is no effective remedy or fair trial (Article 47). Instead, the failure to disclose evidence that is detrimental to defence or prosecution victimises victims in courts.

1. **Jan 2008:** Imprisonment for refusing to pay Crown Prosecution Service costs.
2. On day of release 1st Claim for damages filed as prison had refused, each day, to accept payment in lieu of prison sentence. Crown defends claim.
3. **Jan 2009:** HHJ Nicholas Chambers QC 'stays proceedings' to allow Claimant to change Defendant from 'HM Home Secretary' to the female prison governor.
4. **April:** Amended Claim for damages filed against HM governor and police. Police admit receiving 'Particulars of Claim' and defends.
5. **8th June:** Crown places Claimant under surveillance MAPPA level 3 (meaning monthly meetings of prison and police discussing Maurice's intricate welfare).
6. **23rd June:** Claimant jailed pending trial for possessing WW1 aero machine gun.
7. **July:** Claimant files for 'default judgment' from his Cardiff prison cell.
8. **October:** Claimant awarded £50,000 damages by HHJ Seys Llewelyn QC.
9. **2nd December:** Prison denies Claimant access to court as CPS and Dr Tegwyn Williams make last ditch attempt to have him sectioned to a psychiatric prison.
10. **17th December:** Claimant removed from MAPPA level 3 without explanation and later released from prison, denied any costs, having 'offered no evidence'.
11. **2010:** Crown's new governor denies ever 'receiving' Particulars of Claim. HMCS state it had 'unreliable record' of 'good service' on Cardiff prison in April 2009.
12. Both new prison governor and HMCS refuse October 2009 Order to produce proof of 'audit trail', recorded at the same time by their MAPPA surveillance.
13. **September:** After 2009 judge's 'observations', Claimant offers settlement by dividing liability, £25,000 against Crown and £25,000 against female governor.
14. New judge refuses to uphold Order to disclose 'audit trail' or obtain obviously needed affidavit from April 09 female governor who had 'good service'.
15. **October:** Court agrees three month 'stay in proceedings' due to Claimant's ill health but rules Claim was 'never served' and had cited wrong Defendant.
16. **29th October:** Crown requests payment for £2,200 costs but Claimant is yet to receive any Judgment awarding Crown any costs (or refunded £360 court fee).
17. The Claimant awaits HHJ Seys Llewelyn QC's Judgment on MAPPA disclosure, of that 'audit trail' in The Principality, preventing his rights to 'remedy' in his eighteen year running damages claim for South Wales Police's unlawful conduct.

¹ <http://victims-unite.net/2010/10/16/exploring-european-territory/>