

IN THE CARDIFF COUNTY COURT

BS 614159-MC65

CF101741

CF204141

BETWEEN:

MAURICE JOHN KIRK

Claimant

and

THE CHIEF CONSTABLE OF SOUTH WALES POLICE

Defendant

CLAIMANTS POSITION STATEMENT

Re Conduct of Dolmans, Solicitors, Cardiff

1. This Friday, 12th April, at Cardiff Magistrates, is my related court application to have varied 1st December 2011 'Restraining Order' re Dr Tegwyn Mel Williams, level 12 forensic psychiatrist for the Defendant.
2. I have no favourable response, following the Defendant's reluctance in disclosure of this doctor's fabricated 21st July 2012 'victim' statements, that led to the incarceration of this Claimant, for the IPCC, GMC, CCRC, an outside police force or to give District Judge Bodfan Jenkins to deliberate upon.
3. Instead, both the South Wales Police and Crown Prosecution Service (Wales), are now openly lying, to my lawyers in Both England and Wales. They, each, cannot 'find' the current 2012 'victim statement', now the second one falsified by Dr Tegyn Mel Williams, also urgently needed for my Member of Parliament, Alun Cairns Esq.
4. This 20th/21st July12 Dr Williams and Dr Janis Hillier allegations, counter signed by the same police caused me again to be jailed for weeks on end, until all charges were, as predicted, eventually dropped because Dr Tegwyn Williams and many others, in this wide spread conspiracy, continue to enjoy full immunity to either criminal or NHS (Wales) prosecution.

5. Dr Williams signed a police statement that I had gone around to his home and had harassed both him and his wife, Dr Janis Hillier, also of Caswell Clinic, Bridgend, they both using the excuse, ever since, for them to claim 'long term sick' at tax payer's expense.
6. Williams went on to write, no doubt drafted by Dolmans, solicitors, to further prejudice my private prosecutions, that the police had been called to their matrimonial home to get me 'moved on'. Following many weeks of delay I was then arrested.
7. The Defendant refuses also to supply me or my English lawyers a copy of my custody record or detailed 15th March 2013 section 9 witness statement given to Detective Constable Holder.
8. I have no idea where these two live or do I have any earthly desire to know other than to serve witness summonses on them for this Friday's hearing which private investigators from England have already been employed to do.
9. Remember, Adrian Oliver of Dolmans advised the Chief Constable of South Wales Police, not just in my current three month trial for police bullying but as to my MAPPA terrorist level 2009 registration, following Barbara Wilding signing a six week over due but erroneous Dolmans drafted sworn affidavit, ordered to be addressed by His Honour Judge Nicholas Chambers QC.
10. Remember, Dolmans' fabricated complaints to police, withholding the 20th June section 9 police statement, 'for years', to have me jailed on 22nd June 2009 to try and snatch my then ten year old daughter, as Wilding had failed in having me 'lawfully' shot as a 'terrorist at large'.
11. Remember, just as the police were painting my old WW1 Lewis machine gun a different colour, in order to try and fool the 2010 Cardiff Crown Court jury, Adrian Oliver was, meantime, advising, along with NHS (Wales) lawyers, Morgan Cole, for Dr Williams to successfully apply to Cardiff Crown Court that I be sectioned under 35 the 1983 Mental Health Act, with out even having examined me!
12. On 2nd December 2009 both Dr Williams and an equally corrupt CPS barrister, Richard Twomlow, applied and almost succeeded, if it had not been for the quick thinking of Walter Sweeney, my past MP, for my immediate incarceration to Ashworth high security psychiatric prison, intended for life, on the pretext I 'possibly' had a brain tumour but most definitely had such 'significant brain damage' I was incapable of facing the 'machine gun trial' without a Cardiff based allocated team of lawyers.
13. Dr Tegwyn William's 2009 MAPPA psychiatric reports, on me, were on the full approval of the police advised through out by a very well paid Adrian Oliver.

14. Now, only yesterday, this huge team of police lawyers made representation to this court that I have published on web site 'complaint' letters, purported to have been by Adrian Oliver and that this was considered as harassing him and his staff in his much taxpayer subsidised funded offices in the heart of Cardiff.

Just when is either a Cardiff criminal or a civil court going to take into account the defence section in 1997 Prevention of Harassment Act whereby, when the supposed 'victim' is so clearly breaking the law or is again about to break the law, it is perfectly reasonable to conduct a reasonable and proportionate 'course of conduct' to detect or prevent that serious crime?

15. Mr Oliver applied to this court to prevent the police overhead camera video, catching police officer Robert Osborne smashing his way into my car and seriously assaulting me, be disclosed to this court. I visited his offices twice in attempts to comply with the current court order to disclose to 'all parties' those and other videos but was thwarted, each time, by Oliver's personal orders to a clearly bewildered staff.

16. I had DVD of both police sergeant Anthony Kilberg's Llantwit Major 'public order' incident and Bridgend's custody 'dangerous driving' video incident, both clearly forgotten about by the 'Defendant' in these proceedings and wishing them buried as well.

17. I also had, for service on all parties, a DVD of the 1984 TV programme 'Out of Court', succinctly indicating to any jury where the South Wales Police tactics, in a 20 year campaign of bullying, originated with the probable cause of the lengthy and expensive liaison between both police forces based on vengeance.

18. Oliver, in 2000, advised the police not to disclose any further custody or overhead road videos to me. It took, for example, more than a year to see sight of this damning Newport Road video. This was far too late, of course, for any of my criminal court or Judicial Review applications pleading my innocence.

19. I knew, full well, that no one else could become privy to the police 24/7 covert surveillance on both me and my veterinary hospital, for fear of immediate bankruptcy, as the police would eventually complain to the Royal College of Veterinary Surgeons, on their remaining 10% convictions out of an original one hundred criminal allegations rained down on me in the ten year period.

20. Osborne's successful 2000 'refused breath test at the road side' conviction, only because no criminal court had the opportunity to see the undisclosed video or unexpurgated Roath police station custody videos, had my name removed from the UK veterinary register.

21. This court, shortly, will hear evidence of police having me arrested, in 1993, before my very own clients in Grand Avenue, Ely, Cardiff, on the pretext of stealing my own motor cycle, common assault and being '***in possession of a garrotte like instrument***'.
22. The latter was an embriotomy wire used, the day before, for dehorning cattle on a Boverton, Llanwit Major farm owned by the Prince of Wales while the 'white powder' found in the panniers could only have been a veterinary product under my control.
23. Then senior police officers successfully persuaded Cardiff magistrates to have me further imprisoned, for three days in HMP Cardiff, until I could be 'identified'. The 'under caution' tape recording, despite being promised, countless times, has never been disclosed.
24. Monday's court hearing, in the other 'Osborne' incident when I was arrested for being a 'disqualified' driver by PC Mark Cocksey, rudely interrupting my lawful drive around The Hayes roundabout some thirty or forty times, will, again, contain the same '***Evidence of similar fact***' throughout the thirty five incidents in first of these seven or so Actions I have been forced supported by Dolmans, solicitors, Cardiff.
25. Adrian Oliver is deliberately withholding police officer Roche, for as long as possible, from giving evidence, following ex Chief Inspector Jenner's and ex Inspector Roe's conflicting evidence, due to my 20 year stored evidence of hard evidence over the unlawful breaking into my Cardiff surgery by a van load of police officers armed with a sledge hammer and a crow bar just to put back the Chief Inspector's daughter.
26. I have witnessed, on numerous occasions in South Wales, from Cwm Bran to Newport to Cardiff to Barry and to Bridgend courts that of criminal cases brought against me to be abruptly stopped and all for precisely the same reason.....'***Evidence of similar fact***'
27. Adrian Oliver now has to withhold still more sensitive Barbara Wilding/Dr Tegwyn Williams evidence, as he knows it is needed for a successful Friday's Cardiff magistrates' hearing, in the very likely event now of this civil damages case coming to an abrupt halt when only part heard.
28. Adrian Oliver has coached each police officer defence witness to say, "***I know nothing***", on any relevant 'fact' raised in cross examination not already identified on the limited documents eventually disclosed by the Defendant.
29. Adrian Oliver's remaining runners in this, his originally planned handicapped three month race, now have a real risk of either 'pulling up' or 'falling' at their first fence, despite 'lowering of fences', only to leave a few left to run and jump the allotted distance.

30. The Claimant's 7th April 13 letter to the current Chief Constable of South Wales Police, Mr David Vaughan:

The Chief Constable of South Wales Police
Bridgend Police HQ
Wales

7th April 2013

Dear David Vaughan,

Maurice Kirk v South Wales Police

I am currently attending a civil damages claim where you appear to be the Defendant.

Your name does not appear to be on your legal team's witness list of evidence required, as would be necessary in any English court or before a jury, to defend the matter of whether your officers neglected, deliberately or otherwise, their duties to a member of the community so often in trouble due to thefts, break-ins and harassment.

I wondered if you will attend to give evidence without the need of witness summons.

On another matter, I am experiencing what appears to be criminal conduct by ever increasing numbers of your defence witnesses as when called to give evidence.

Just as an example, I enclose a 22nd July 95 section 9 witness statement, withheld by Dolmans, solicitors, of a past Inspector Robert Nelson Roe of Ely police station, due to give evidence, again, subject to His Honour Judge Seys Llewellyn QC's consent.

Unfortunately, in 2002, the Royal College of Veterinary Surgeons were sufficiently influenced not to accept my delivery of my valid driving documents to the Ely police station as contrary to information by your officer, then Inspector Collins, in January 2001, when applying to have my name removed from the veterinary register.

This retired Inspector Robert Roe failed to admit, in court, I had often visited his police station, my veterinary surgery being just a few hundred yards from his front door, complaining of a number of issues, usually in police statement form over the years, one such being the fact tenants in my first floor flat, above the surgery, had, again, caused significant criminal damage sufficient, this time, for my ceiling to fall in on my operating table, fortunately while I was not there.

The fact that one of the tenants was the daughter of your retired Chief Inspector Jennings, then a client of mine at my Barry surgery, may be of some relevance.

On your examining my 'tampered with' or irregularly recorded 3rd July 95 custody records, now as court exhibits, copy of the original tape recording of my interrogation,

under caution, a copy of which I was always denied, of other evidence heard and that of then PC Roche, very soon, I wondered if you perceive foul play?

I have only found, tonight, whilst rummaging through a few files, extensive custody records supporting my complaints, at the time, of PC 3619 Mark Cocksey's serious assault on me at the public counter of the Cardiff Civil Justice Centre.

Your serving police officer, as did Inspector Andy Rice from the witness box, denies all knowledge of the incident involving my fundamental human rights.

Is this on Adrian Oliver's instructions of "*I know nothing*" or is it now a matter for you?

Do you invite the IPCC to instruct an outside police force to across the bridge or do I?

Yours truly,

Maurice J Kirk BVSc

(By 24/7 covert police surveillance you have my current coordinates and address)

31. There remains a number of police needing to be re called due to new evidence disclosed by the defence. The list includes:

Inspector Andrew Rice

- i) RICE denied identifying Christopher Paul Alexander/Ebbs in court and both being at a police and CPS meeting at Aust Ferry Services, as a witness in a police prosecution, as recorded in Alexander's 27th Oct 2012 witness statement.
- ii) RICE denied knowing of the incident Action 2 para 5.1, my arresting CPS officer STOFFA following the collapsed of Barry magistrates hearing of my alleged speeding offence in St Nicholas when, as I had him by the scruff of the neck, out floated from the CPS file, the speed camera photograph of the actual driver, a Mr Kevin Fairman known to RICE. I had asked RICE to seize it, for an outside police force investigation, witnessed by his four other officers that had also just burst into the court room.
- iii) RICE has evidence relevant in the Penarth police station identification and 'recovery' of my Citroen motor vehicle, referred to earlier defence evidence in this hearing, it having earlier been reported as 'stolen' from behind my Barry Veterinary Hospital when the police had knowingly tried , again, to 'set me up'.

Enclosed is a copy of an already served on the court a scrap dealer, Michael Murphy's 28th September 2010 joint witness statement.

- iv) RICE has conflicting evidence to retired Inspector Howard Davies' evidence, yet to be cross examined, including the failed prosecution of 'Breach of the Peace' at Vale of Glamorgan Magistrates when RICE, as custody sergeant decided to prosecute but was later withdrawn by the Crown Prosecution Service.

Retired Inspector Robert Nelson Roe

- i) Further evidence has come to light since ROE denied knowing me, in court during cross examination, witnessing the breaking in to my Ely surgery premises or entering the flat above on 6th June 1995, contrary to his own 22nd July 95 witness statement served only on the trial judge, so far.

Sergeant 3619 Mark Cocksey

- i) **COCKSEY** denied, in court this Friday, violently arresting me with excess use of hand cuffs, at 15.40 hrs on 24th July 2004, at the Cardiff Civil Justice Centre public counter when I was officially complaining to him to take a written 'victim' statement of HM court Service conspiracy to, again, perverting the course of justice by 'losing my court files' when they, in truth, had not been lost.
- ii) HM Attorney General had received the files from **Luigi Stranati**, HM Court Service (Wales) area Director, a major player in instigating my latest imprisonments, with his presence in court at 1st December 2011 District Judge John Charles' shambolic court hearing when I was convicted, in my absence, of harassing a **Doctor Tegwyn Mel Williams of Caswell Clinic** and awarded a 'restraining order' never ever served on me!
- iii) A key player in all this, in the MAPPA based 1983 Mental Health Act South Wales Police conspiracy over 'machine guns and a serious attempt to snatch our, then, ten year old daughter, to stop these current civil proceedings, was and still is **Doctor Tegwyn Mel Williams** who is still, apparently 'at large' enjoying immunity to criminal prosecution.
- iv) **The Purpose of HM Partnership** 'borrowing my thirty odd files, at the time, was for a team of Whitehall lawyers to 'examine' them with the view of my being registered as a 'vexatious litigant', anything from blocking these civil proceedings as it was the Defendant, the South Wales Police, who instigated my name being removed from the veterinary register.
- v) Mr Justice Andrew Collins, meantime, handed down an interim 'Civil Restraint Order', effective for two years, thus preventing my

applying to the European Court of Human Rights or has my name returned to the veterinary register.

- vi) Proof of all this was served on this court along with HM Treasury Solicitor's 'internal correspondence', copies of which were purloined from this same building just as 'jury notes', in my abortive and scandalous 'dangerous driving' jury trial hearing, ref. Action 2 para 12.1, were 'borrowed' by me and copies of which were served during this hearing and on His Honour Judge Nicholas Chambers QC in circa 2008.
- vii) Original police custody record, in my possession, of my arrest and detention at Fairwater police station by PC MARK COCKSEY, discloses irrefutable proof of a criminal assault has been occasioned.

32. This Claimant has only just read for the very first time, tonight, some of the detailed record kept by Mrs Kirstie Kirk MRCVS, at the time of several incidents in these, the first three Actions to come to trial.

33. My then wife created a number of multi paged witness statements collated by my then full time secretary for the purpose deliberately for this trial and Europe.

34. These contemporaneous hand written notes had been mislaid in the wrong file of some two hundred and forty lever arch files recording twenty years of both South Wales Police and HM Partnership conspiracy to deliberately to pervert the course of justice.

Urgently, at Claimant's full expense, all these contemporaneous records need to be immediately typed, possibly with the assistance of the court, in the light of their content.

Maurice J Kirk BVSc

7th April 2013