

SWP 1-454



Ffurflen Hawliad Claim Form

Yn
In the

at ddefnydd y llys yn unig
for court use only

Rhif yr Hawliad
Claim No.

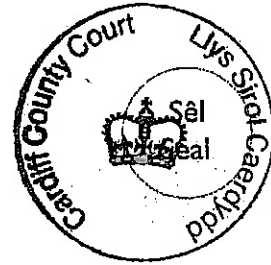
9CF02983

Dyddiad cyhoeddi
Issue date

20 APR 2009

Yr Hawlydd
Claimant

M MAURICE JOHN KIRK



Diffynnydd/Diffynyddion
Defendant(s)

1) SOUTH WALES CONSTABULARY
2) HM PRISON GOVERNOR

Manylion byr o'r hawliad
Brief details of claim

CONSPIRACY TO PERVERT THE COURSE OF
JUSTICE
FALSE IMPRISONMENT

Gwerth
Value

£ 50,000 (NOT LESS THAN)

Date of
Service

~~9 APR 2009~~ 10 JULY 2009

Enw a chyfeiriad
y diffynnydd
Defendants
name and
address

1) ~~10 DOLMANS~~ ^{10 DOLMANS} ^{FORLE SOLICITORS}
~~WINDSOR PLACE~~ ^{SOUTH WALES}
~~CARDIFF~~ ^{BRIDGEND} ^{WALLES}
2) HM PRISON, KNOX RD,
CARDIFF CF24 0UQ

Swm a hawliar Amount claimed	50,000
Ffi y llys Court fee	360 PAID
Costau twrnai Solicitor's costs	—
Cyfanswm Total amount	£50,360

Rhif yr Hawliad
Claim No.

Ydy, neu a fydd, eich hawliad yn cynnwys unrhyw faterion sy'n dod dan ddeddf Hawliau Dynol 1998?
Does, or will, your claim include any issues under the Human Rights Act 1998?

Ydy
Yes

Nac ydy
No

Bydd
Yes

Na fydd
No

Manylion yr Hawliad (atodir)(i ddilyn)
Particulars of Claim (attached)(to follow)

Datganiad Gwirionedd

Statement of Truth

*(Credaf)(Cred yr Hawlydd) bod y ffeithiau a ddatgenir yma ym manylion yr hawliad yn wir.
*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.

*Awdurdodir fi yn briodol gan yr hawlydd i lofnodi'r datganiad hwn.

*I am duly authorised by the claimant to sign this statement.

Enw yn llawn

Full name MAURICE JOHN KIRK

Enw ffyrm twrnai'r hawlydd

Name of claimant's solicitor's firm UNABLE TO FIND INDEPENDANT LEGAL

lofnodwyd

signed [Signature]

safle neu swydd a ddelir REPRESENTATION IN WALES

(os lofnodir ar ran ffyrm neu gwmni)

position or office held

(if signing on behalf of firm or company)

*(Hawlydd)(Cyfaill cyfreitha)(Twrnai'r Hawlydd)

*(Claimant)(Litigation friend)(Claimant's solicitor)

*dileer fel sydd yn briodol

*delete as appropriate

MORLEPITS
ST DONATS
LLANWY MAJOR,
WALES
CF61 1ZB

Cyfeiriad yr hawlydd neu dwrnai'r hawlydd lle y dylid anfon dogiennau neu daliadau, os yw'n wahanol i'r cyfeiriad drosodd, gan gynnwys (os yw'n briodol) fanylion am DX, ffacs neu e-bost.
Claimant's or claimant's solicitor's address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail.

**Rhif yr Hawliad
Claim No.**

Ydy, neu a fydd, eich hawliad yn cynnwys unrhyw faterion sy'n dod dan ddeddf Hawliau Dynol 1998?
Does, or will, your claim include any issues under the Human Rights Act 1998?

Ydy
Yes

Bydd
Yes

Nac ydy
No

Na fydd
No

Manylion yr Hawliad (atodir) (i ddilyn)
Particulars of Claim (attached) (to follow)

- 1 ON THE 18TH JANUARY 2007 BARRY MAGISTRATE VARIED THE COSTS ORDER GIVING THE CLAIMANT THE AMMOUNT OWED FOR RELEASE
- 2 FROM THEN ON THE CLAIMANT AT EACH CONCEIVABLE OPPORTUNITY, UPON BEING LOCKED UP IN BARRY POLICE STATION OFFERED TO PAY THE OUTSTANDING MONIES IN FULL
- 3 AT NO TIME WAS THE CLAIMANT UNABLE TO PAY THE SUM OF MONEY REQUIRED FOR HIS RELEASE.
- 4 THE GAOLERS REFUSED TO CALCULATE THE AMMOUNT FOR RELEASE UNTIL ON OR ABOUT 24TH JANUARY 2007
- 5 ON OR ABOUT THE 24TH JANUARY 2007 CASH BROUGHT TO PRISON BY THE CLAIMANT'S WIFE WAS REFUSED THE CLAIMANT BEING INFORMED THE CASH HAD TO BE BY POSTAL ORDER.
- 6 DURING THE CLAIMANT'S DAILY REQUESTS FOR RELEASE HE PRESENTED ENOUGH QUE BOOKS CREDIT CARDS AND LIQUID CASH IN VARIOUS CURRENCIES INCLUDING STERLING, TO NO AVAIL.
- 7 THE CLAIMANT APPLIED AND HAS BEEN REFUSED COPIES OF HIS DAILY APPLICATIONS FOR RELEASE, ONE SUCH APPLICATION CONTAINED IN HIS LETTER TO THE GOVERNOR OF CARDIFF PRISON DATED 30/01

**Datganiad Gwirionedd
Statement of Truth**

~~I believe~~ *Credaf (Cred yr Hawlydd) bod y ffeithiau a ddatgenir yma ym manylion yr hawliad yn wir.
*I believe (The Claimant believes) that the facts stated in these particulars of claim are true.
*Awdurdodir fi yn briodol gan yr hawlydd i lofnodi'r datganiad-hwn.
*I am duly authorised by the claimant to sign this statement.

Enw yn llawn
Full name

MAURICE JONN KIRK

Enw ffym twrnai'r hawlydd
Name of claimant's solicitor's firm

llafnodwyd
signed

*(Hawlydd) (Cyfaill cyfreitha) (Twrnai'r Hawlydd)
*(Claimant) (Litigation friend) (Claimant's solicitor)

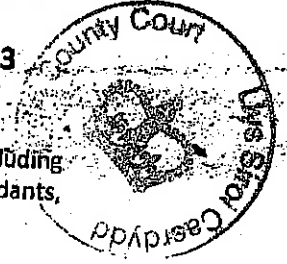
*dileer fel sydd yn briodol
*delete as appropriate

safle neu swydd a ddelir
(os llofnodir ar ran ffym neu gwmni)
position or office held
(if signing on behalf of firm or company)

MAURICE KIRK,
SOLICITOR,
BARRY
CF6 8AZ
WALES

Further Particulars

Case no.9CF02983



The time period of the conspiracy is included in other ongoing court actions, including CF6141159-MC65 CF101741, CF204141 7CF07345, 8CF02269 and others against the two defendants, South Wales Police and HM Prison.

In the 1st Action, above, Para 8.3 the Claimant was unlawfully detained in both Fairwater, Cardiff police station and remanded to Cardiff Prison, in May 2003, during which time clients of both his Barry and Cardiff veterinary practices fed, clothed and housed the plaintiff whilst maintaining no knowledge of the identification of their prisoner, the reason for the three day detention in the prison.

The period of claim, due to this conspiracy, referring to Case 9CF02983, refusing my release from Barry police station was only as from the moment the Plaintiff was refused release in the late afternoon of Thursday 18th January 2007, when he offered, in full, the funds required, in whatever form, as identified on the custody records, to the time he was released to the custody of the HM Cardiff Prison in the morning of Friday the 19th January 2007.

The essence of the conspiracy is that payment in full was offered upon the claimant reaching the foot of the stairs leading from the dock of the Magistrates court, on the 18th January 2007, to both court and HM Prison staff and refused to again being offered and refused, upon entry to the Barry police station on the same day.

Custody record currently denied the Plaintiff will further support the allegation of a conspiracy by the actions taken by the defendants following the claimants repeated offers of payment during the remaining time period in prison to his eventual release on -or about the morning of 25th January 2007.

(Further particulars following 20th April 2009 direction from HHJ Seys Lewellyn QC)