

Maurice Kirk v South Wales Police

Claimant's Response to Defendant's Position Statement 17th November 2008

I, Maurice Kirk, as an Englishman in Wales, make this statement in response to the Defendant's position statement dated 17th November 2008.

1. Yet again I rely on the 'balance of probabilities' in civil law, my human rights, my Abuse of Process Application, listed for the 25th/26th November 2008 and my countless Disclosure Applications, over more than 16 years now, due to the malicious failure for proper Sect 31 Disclosure etc by the Defendant when applied for either by my original lawyers, my own Applications in Magistrates, Crown, County Courts and/or direct, in writing, as 'litigant in person' unable to obtain independent legal representation.
2. This 4th Action needs, I say again, to be adjourned in order for the Particulars of Claim to be simplified following that Disclosure in all Actions to which I am entitled under the law.
3. **Denial** by the Defendant that 1) welsh court cases ever took place, 2) 34 {35} times I had to produce valid motoring insurance 2) aeroplanes were burnt out, 3) there was sufficient evidence to prosecute when I was thrown down the stairs into hospital by a known criminal in front of her officer and my wife, 4) Cardiff police took a crow bar to break into my veterinary surgery to re house a police inspector's daughter and drug dealer and 5) she had me sent to prison on the pretext I could not be "identified", is an indication that there should be a halt to these legal proceedings and an **independent enquiry** as to why the Welsh Authorities have gone to such lengths to cover up the criminal conduct of a handful of reject attorneys.
4. The 5th Action is currently levelled at the **HM Home Secretary** only because of the 16 years of 'treacle treatment' here in Wales while an Englishman is attempting 'due process' of statute law for reasonable compensation for a string of false imprisonments and harassment by the very same defendant each time but virtually ceasing her 'activity' on the very day, 29th May 2002, the Defendant, complainant to the RCVS, obtained my name from being removed from the veterinary register in order that I may no longer 'practice veterinary surgery'.
5. The 200 odd police incidents, touched on in the current 4th Action Particulars of Claim, lie almost exclusively in the 10 year period of intense harassment by the South Wales Police, 1992-2002, details of which are set out in the original 3 Actions for damages. Documentation between parties prior to October 2002 and what was said in the 31st October 2003 hearing further

confirms there was an agreement to adjourn further proceedings being lodged as to have done so could have jeopardised my basic right to have a **trial by jury**. The unlawful way I was denied a **jury trial** is history but will be referred to at The Court of Appeal as yet another example of **malfeasance** by those in positions of privilege.

6. The reason for The **HM Home Secretary**, now to be represented in Cardiff court on the 25th November, to face the **Abuse of Process Application** in the 5 Actions is to allow the Management judge to hear how both the South Wales Police and RCVS made secret complaint to the **HM Attorney General** in the early 2000s in order to have me certified as a **Vexatious Litigant** and so jeopardise my rights, in law, in their respective Actions as defendants.
7. On 31st October 2008 and in writing the **HM Home Secretary** admitted, for the first time by any one, that there had, in effect, been an 'Abuse of Process' due to the conduct of the South Wales Police and lawyers employed by the RCVS to have my name removed from the veterinary register so as to impede income and so my ability for a fair trial.
8. 2003/6 leaked HM memos, [samples served on this court], confirm the conspiracy and explains why my own barrister was refused 'sight of' Cardiff Court files, relating to all these 5 claims because they were apparently 'lost'! They were no more 'lost' than I am a Freemason. They were in Whitehall with the **HM Attorney General**. Many of the 130 odd files are 'lost' now along with the file marked "**Maurice J Kirk -Potential Vexatious Litigant**" shown to me by Cardiff court Staff full of numerous communications between the police, Royal College of Veterinary surgeons and Home Office agents.....ALL FOR ONE PURPOSE.
9. Refusal by **HM Court Service** to produce it now further confirms why a huge team of tax payer paid Whitehall lawyers today continue to 'beaver away' to block exposure of the conspiracy.
10. The **Management Judge's 31st Oct 2007 Internal Memo** [enclosed] further confirms my worst fears suggesting my **Abuse of Process Application** should first be heard in the Cardiff Court. But I have delivered the 'meat on the bone' to numerous courts and police stations from about the land and no one will lift a finger because this despicable cancer is rife throughout the British Judicial System by being dominated by devil worshipping freemasons.
11. The **HM Home Secretary**, represented by the **HM Treasury Solicitor** has now admitted it, in Cardiff court, before HHJ North and gave 'undertakings', following my Applications under the Data Protection Act and Freedom of Information Act to 'Disclose' the tape and transcript of the 28th October 2002 hearing when the South Wales Police referred to the agreement for no further incidents of alleged 'harassment or malfeasance' were to be served on the Defendant for fear it would be 'document heavy' for a civilian jury to 'understand'. What utter rubbish.
12. No Disclosure by **HM Treasury Solicitor** has occurred and entry to his RCJ offices was refused. Why is there my evidence, **needed now**, somewhere in London, God knows where?

13. Most of the defendant's current statement is plain verbiage printed off from the last such statement with one purpose only ...to push up the costs with little regard as to who pays.
14. Exactly the same conduct of her co-conspirators, The Royal College of Veterinary Surgeons, who on each of my 10 monthly '*de novo*' applications for re instatement to the veterinary register, by simply pressing the repeat button on their computer £12,000 will again be granted, full costs, out of hand, when not even taxed or court papers read by the High Court judge. [See Royal Courts of Justice transcript and time sheets of Mr Justice McComb in Kirk v RCVS July 2005 and witness statement of Mr Patrick Cullinane Esq. who saw it all]. It stinks doesn't it but who cares?
15. I set a 'test case' to show my web site readers, since my last application for Disclosure, to indicate just how widespread the incest and wickedness is, not just here in South Wales, should one become so unfortunately entangled with such an insular 'authority'.
16. In Oct 2008 I wrote to the Defendant and to my Parliamentary Representative, Mr John Smith MP, the latter having witnessed the very same scandal back in 2002 when Defendant admitted Christopher Ebbs was immune to prosecution. UK judges closed my web www.kirkflyingvet.com
17. My 4th October letter was direct to the Barry police and a similar but a different 8th October letter was to Barbara Wilding, the Area Chief Officer, in response to **Occurrence Numbers** issued by South Wales Police following some random picked 40 odd incidents reported by me. I also wrote on the 16th October to the Defendant's lawyers for similar 'Disclosure'. Again, none responded with any 'Disclosure' or as to what 'progress' or lack of it [4th Action] had been made in the 40 odd incidents of complaint despite their original letters, each indicating they would.
18. Further comment on the Defendant's 17th November 2008 position is futile in the absence of 'Disclosure' of facts within her knowledge or by the **HM Home Secretary** and her agents. Failed access to 'independent legal representation', to allow me to fairly present a 'skeleton argument' and my claims for damages, is a further but far more widespread a conspiracy across the UK.
19. Both **Data Protection Act 1966** and **The Human Rights Act 1998** are a farce and were written for one purpose only. The latter deliberately omits the most crucial paragraphs in the **European Convention on Human Rights**, 'protection against malfeasance', conduct of the State, the main reason why it was signed in the first place, on 10th Dec 1948, 60 years ago.

Signed: Maurice J Kirk BVSc 18th Nov 2008

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