

South Wales Police



Heddlu De Cymru

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Cydweithio Gyda'r Gymuned

DIRECTOR OF LEGAL
SERVICES

D GARETH MADGE, LLB

CYFARWYDDWR
GWASANAETHAU CYFREITHIOL

Mr. M.J. Kirk,
Marlpits,
St. Donats,
Llantwit Major,
NP23 5LB

Our Ref: SOL/RLH/EKO/12431
Your Ref: CO/397/2009

13 February, 2009

Dear Sir,

Re: Application for Judicial Review

R, on the Application of Maurice John Kirk -v- the Royal College of Veterinary Surgeons (1), The Chief Constable of South Wales Police (2) and The HM Attorney General (3)

Claim No. CO/397/2009

As you are aware I act on behalf of the Chief Constable of South Wales Police who is the Second Defendant in these proceedings.

I enclose herewith Acknowledgement of Service Form which I have lodged at the Administrative Court on behalf of the Second Defendant.

Please acknowledge safe receipt in due course.

Yours faithfully

R. Leighton Hill
**Assistant Director
Legal Services**



INVESTOR IN PEOPLE
BUDDSODDWYR MEWN POBL

Legal Services Department . Police Headquarters . Cowbridge Road . Bridgend . CF31 3SU.
Adran Gwasanaethau Cyfreithiol . Pencadlys yr Heddlu . Heol y Bont-faen . Penybont . CF31 3SU.
Telephone/Teliffon 01656 869476 . Facsimile/Ffacsimili 01656 302103.



Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Mr M Kirk
The Marlpits
St. Donat's, Llantwit Major
South Glamorgan
CF61 1ZB

4th February 2009

Case Reference Number RFA0231766

Dear Mr Kirk

Information request to Treasury Solicitor's Office (TSol).

Thank you for your correspondence dated 17 January 2009 in which you complain about TSol's decision not to release the information you requested.

From the correspondence you have sent to this office it is evident that you have made a subject access request under the Data Protection Act to TSol as well as a Freedom of Information request.

While personal data is exempt from disclosure under Section 40 (1) of Freedom of Information Act, you, as an individual, have the right (under sections 7-9 of the Data Protection Act 1998) to make a subject access request to any Data Controller who is processing your personal data. We note that TSol advise that they have considered your request under both pieces of legislation.

From the details you have provided, it appears that you have not yet asked TSol to review the decision to refuse your request.

If you wish to pursue your complaint under the Freedom of Information Act with regard to the non disclosure of data other than your personal data, we would advise you to ask the public authority to reconsider its refusal of your request. When doing so, it may be helpful if you respond to any specific reasons given by the public authority for refusing your request, thus enabling them to respond to your arguments as to why the information should be released. We note that TSol have provided you with the address to write to if you choose to request an internal review.

Our reference number: 2009/022598
Your reference number:

Mr Maurice Kirk
Malpits
St Donats
Vale of Glamorgan
CF61 1ZB

11 February 2010

ipcc

independent
police complaints
commission

comisiwn cwynion
annibynnol
yr heddlu

Eastern Business Park
Wern Fawr Lane
St Mellons
Cardiff CF3 5EA

Tel/Ffôn: 029 2024 5400
Fax/Ffacs: 029 2036 1948
Minicom: 020 7404 0431

Email/E-bost: enquiries@ipcc.gsi.gov.uk
Web/Gwefan: www.ipcc.gov.uk

Dear Mr Kirk

I am writing about the application made by South Wales Police to dispense with the complaints you made in your letters of 30 July 2009, 05 August 2009, and 08 September 2009.

I appreciate that these letters provide a number of complaints against South Wales Police and other organisations. Conversely, not all complaints listed within the aforementioned letters are subject of the dispensation application. For clarification, the application concerns the following complaints:

- Officers failed to provide you with information to assist in your preparation for a forthcoming trial (*letter of 05 August 2009*)
- South Wales Police continue to refuse to disclose the identity of police officers at a number of incidents (*letter of 08 September 2009*)
- South Wales Police and Royal College of Veterinary Surgeons gave false antecedent history at a recent bail application (*letter of 08 September 2009*)
- South Wales Police have failed to disclose information concerning officers involved in incidents previously reported (*letter of 30 July 2009*)
- South Wales Police fail to reveal information and follow up reported incidents (*letter of 30 July 2009*)

The IPCC has considered the application. Based on the information and evidence provided, we have agreed that allowing your complaints to progress would be an abuse of the complaints procedure.

IF WRITING PLEASE PRINT
(Please complete all mandatory (*) boxes)

If you complete this form in manuscript, please use **BLOCK CAPITALS**
DATE: 28th Feb 2009 **DIVISION / DEPT:** F Bridgend

1.

DETAILS OF COMPLAINANT

| | |
|--|--------------------------------|
| *SURNAME: KIRK | *FIRST NAMES: MAURICE JOHN |
| PREVIOUS SURNAME: | *TITLE: MR |
| *ADDRESS: MALPITS, ST DONATS, VALE OF GLAMORGAN, | *DATE OF BIRTH: 12.03.1945 |
| | *PLACE OF BIRTH: TAUNTON |
| | *GENDER: MALE |
| | *16+1 ID CODE: (see page 9) |
| *PNCID CODE: | |
| *POSTCODE: CF61 1ZB | WORK TEL. NO: |
| *HOME TEL. NO: 01446 792109 | MOBILE NO: 07966 523940 |
| E MAIL ADDRESS: MAURICE@KIRKFLYINGVET.COM | |
| *OCCUPATION: | |
| *PREFERRED METHOD OF CONTACT: Telephone <input checked="" type="checkbox"/> Letter <input type="checkbox"/> E Mail <input checked="" type="checkbox"/> | |
| Third Party <input type="checkbox"/> | |

2.

DETAILS OF COMPLAINT

| | |
|--|---------------------------|
| HOW MADE: Letter <input type="checkbox"/> | |
| <input checked="" type="checkbox"/> Personal visit to BRIDGEND Police Station Date: 28.02.2009 Time: 15.10 hours | |
| Received / Seen by - Name: MORGAN Rank: A/Insp No.: 3362 | |
| Date of incident - (between dates if relevant) 25.02.2009 | Incident No.: N/A |
| Time of incident - (between times if relevant) N/A | NSPIS No.: N/A |
| | Niche Occurrence No.: N/A |
| Location of Incident: NONE | INA Code: |

3.

BRIEF CIRCUMSTANCES OF INCIDENT

(INCLUDING DETAILS OF INJURIES, IF ANY) OUTLINING THE COMPLAINANT'S SPECIFIC ALLEGATIONS (CONTINUE ON SEPARATE SHEET IF NECESSARY)

PLEASE SEE ATTACHED REPORT.

The complainant wishes to make an allegation of Fraud against Chief Constable WILDING. This is in relation to a signed affidavit served on the complaint, which he says is false.

The complainant has requested a meeting with the Chief Constable, which has been declined by Chief Inspector SMART.

From Mr KIRK:

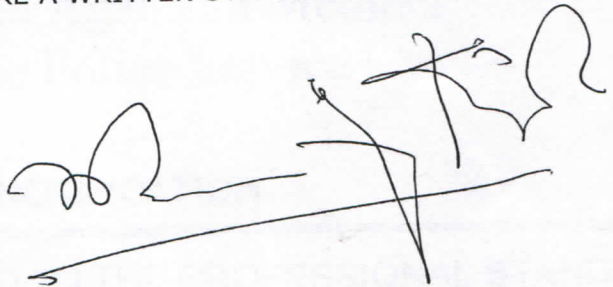
"I HAVE BEEN TRYING TO GET A RESPONSE FROM SOUTH WALES POLICE FOR OVER 40 OCCURRENCE NUMBERS, IDENTIFIED ON POLICE LETTERS REFERRING TO SPECIFIC INCIDENTS OF COMPLAINT OVER A PERIOD OF 17 YEARS"

"I RELY ON THE CONTENT OF MY LETTER TO CLARENCE HOUSE DATED 26.02.2009, IN REPLY TO A LETTER ON BEHALF OF THE PRINCE OF WALES DATED 16.02.2009.

TO SUPPORT MY BRIEF INFORMATION, PARAGRAPH BY PARAGRAPH OF THE SWORN AFIDAVIT IN QUESTION. THE POLICE REFUSE TO ACKNOWLEDGE OR REPLY TO MY COMPLAINTS LISTED.

THESE INCIDENT NUMBERS I WAS PROMISED BY THE POLICE WOULD BE THE REFERENCE FOR AN INVETSIGATION TO BE CARRIED OUT AND THEY ARE NEEDED FOR CURRENT LITIGATION IN THE CIVIL COURTS.

I ALSO WISH TO COMPLAIN ABOUT THE OFFICER TAKING THIS COMPLAINT AS HE REFUSES TO ALLOW ME TO MAKE A WRITTEN STATEMENT OF THE FACTS CONTAINED WITH THE AVIDAVIT.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned below the text.

South Wales Police



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CHIEF CONSTABLE

BARBARA WILDING, CBE, QPM, CCMI, FRSA

PRIF GWNSTABL

Our Ref/Ein Cyf: ~~SMJ/JT/32/CO.122/2009~~

Your Ref/Eich Cyf:

5th March 2009

IN CONFIDENCE

Mr Maurice KIRK
Malpits
ST DONATS
Vale of Glamorgan
CF61 1ZB

Dear Mr KIRK

COMPLAINT AGAINST THE POLICE

I refer to the complaint against the Police received on the 28th February 2009, via Mr. John SMITH, M.P., at the Professional Standards Department, Bridgend.

The Police Reform Act 2002 and Regulations made under that Act lay down procedures which have to be followed when a complaint against police is made. Your complaint will be dealt with in accordance with those procedures.

I shall be grateful if you will let me know where and when you will be available for a meeting in order that we may discuss details of your complaint.

I would ask that you make contact with me on **01656 302139** within the **next 7 days** to take this matter forward.

Yours sincerely

S. M. JOHNSON
Inspector 2823
Professional Standards Department

SOUTH WALES POLICE

No. 62/EA/01/576/09.
(Process Report Number)

Date of Hearing

Identifiable
Victim

YES/NO

24/06/09.

Divisional
Reference Number

620902/5435

ARREST

Person(s) Arrested

Solicitors

MAURICE JOHN KIRK

NOT REPRESENTED.

'THE MARLPITS'

ST DONATS

LHANTWIT MAJOR

SOUTH GLAMORGAN.

D.O.B. 12/03/45

OCC. UNEMPLOYED

Are there any grounds for not disclosing any of the evidence or the identity of any witness in this case to the defence?

Answer YES/NO

NO

029207A
0

YES give details: _____

Officer in Charge STUART MCKENZIE

Rank DET. SUPT.

No. 1869.

Referred to

Date

Minutes

C.P.S.

24/06/09.

APPLICATION FOR REMAND IN CUSTODY.

PROTECT

Our reference: 2012/001471

ipcc
independent
police complaints
commission

Mr Maurice Kirk A7306AT
Cardiff HMP
F2-17
Knox Road
CARDIFF
CF24 0UG

1st Floor, Oaklands House
Washway Road
Sale M33 6FS

Tel: 0161 246 8500
Fax: 0161 969 5659
Minicom: 020 7404 0431
Email: enquiries@ipcc.gsi.gov.uk
Web: www.ipcc.gov.uk

8 February 2012

Dear Mr Kirk

Thank you for contacting the Independent Police Complaints Commission (IPCC).

I am writing in acknowledgement of your letters dated 4 February and 3 February 2012 and to confirm that your correspondence has been scanned and a copy passed electronically to the Professional Standards Department of the South Wales Police to consider as part of your complaint.

If you have any further information related to this complaint you should correspond directly with the police at the address below.

South Wales Police
Professional Standards
Cowbridge Road
Cowbridge
CF31 3SU
Tel: 01656 655 555

Please do not hesitate to contact me on the telephone number listed above if you require any further clarification on the complaints process or the content of this letter.

The paperwork you have submitted will be electronically copied and the original papers securely destroyed. If you want your original papers returned to you, you must notify the IPCC within 14 days of the date of this letter. Your papers will then be returned by standard delivery post.

The IPCC would advise against sending in original papers of your important correspondence. You should retain these for your own records. Unless we specify otherwise, please send us photocopies.

PROTECT