

Notice of Allocation to the Multi-track

In the County Court at Cardiff	
Claim Number	1CF03361
Date	13 June 2017

Seal

MAURICE KIRK	1st Claimant Ref
CHIEF CONSTABLE OF SOUTH WALES CONSTABULARY	1st Defendant Ref APO.MS.SWP001-464

His Honour Judge Keyser QC has considered the statements of case and directions questionnaire filed and allocated the claim **to the multi-track**.

IN THE COUNTY COURT AT CARDIFF

Claim No. 1CF03361

BETWEEN:

MAURICE KIRK

Claimant

-and-

CHIEF CONSTABLE OF SOUTH WALES CONSTABULARY

Defendant

Before **H.H. Judge Keyser Q.C.** sitting at Cardiff Civil Justice Centre, 2 Park Street, Cardiff, CF10 1ET, on **12 June 2017**

Warning: you must comply with the terms imposed upon you by this order otherwise your case is liable to be struck out or some other sanction imposed. If you cannot comply you are expected to make formal application to the court before any deadline imposed upon you expires.

UPON a case management conference

AND UPON the Claimant's application by notice filed on 30 June 2016 for permission to amend the Particulars of Claim

<p>Notes:</p> <ul style="list-style-type: none">You and the other party, or parties, may agree to extend the time periods given in the directions except<ul style="list-style-type: none">- where a rule, practice direction or court order requires a party to comply with a direction within a specified time and specifies the consequences of failing to comply;- where an extension of time will affect the date given for returning the pre-trial checklist or the date of the trial or trial period.	<ul style="list-style-type: none">If you do not comply with these directions, any other party to the claim will be entitled to apply to the court for an order that your statement of case (claim or defence) be struck out.Leaflets explaining more about what happens when your case is allocated to the Multi-track are available from the court office or online at http://hmctsformfinder.justice.gov.uk and search for leaflet EX305.
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AND UPON the Claimant's application by notice dated 20 May 2017 (filed on 30 May 2017) for disclosure of the sound recording of specified criminal proceedings

AND UPON HEARING the Claimant in person and Lloyd Williams QC for the Defendant

IT IS ORDERED that:

1. The claim is allocated to the multi-track and is assigned to His Honour Judge Keyser Q.C. for case management.
2. The Claimant has permission to file and serve Amended Particulars of Claim, in the form produced to the Court, in entire substitution for the existing Particulars of Claim dated 26 May 2011; such Amended Particulars of Claim, containing a signed statement of truth, must be filed and served by 12 p.m. on Friday 16 June 2017.
3. Upon filing of the Amended Particulars of Claim pursuant to paragraph 2 above, all claims contained in the existing Particulars of Claim but not repeated in the Amended Particulars of Claim shall forthwith stand struck out.
4. The Defendant may request Further Information in respect of the Amended Particulars of Claim, pursuant to CPR Part 18, by 4 p.m. on Friday 23 June 2017. Any such request must be responded to by 4 p.m. on Friday 30 June 2017.
5. The Defendant has permission to file and serve a Re-amended Defence, consequent upon the amendment to the Particulars of Claim, by 4 p.m. on 25 August 2017.
6. The costs of and occasioned by the amendment of the Particulars of Claim shall be paid by the Claimant to the Defendant in any event.
7. There shall be no order for the costs of the Claimant's application filed on 30 June 2016.
8. Disclosure of documents will be dealt with as follows:
 - 8.1 By 4 p.m. on 29 September 2017 the parties must give to each other standard disclosure of documents by list. The Claimant's list must include all documents concerning the matters set out in the Amended Particulars of Claim, including such documents as touch upon the allegation of an overarching conspiracy by the Defendant against the Claimant.
 - 8.2 By 4 p.m. on 13 October 2017 any request must be made to inspect the original of, or to provide a copy of, a disclosable document.
 - 8.3 Any such request unless objected to must be complied with within 28 days of the request.
9. Evidence of fact will be dealt with as follows:

- 9.1 By 4 p.m. on 23 February 2018 all parties must serve on each other, by way of simultaneous exchange, copies of the signed statements of themselves and of all witnesses on whom they intend to rely and all notices relating to evidence.
- 9.2 Oral evidence will not be permitted at trial from a witness whose statement has not been served in accordance with this order or has been served late, except with permission from the Court.
10. No expert evidence shall be received at trial, none being necessary.
11. There will be a further case management conference on the first available date after 16 March 2018, when the Court will consider the mode of trial, the listing of the trial and the extent to which the disclosed evidence is to be received at trial. Time allowed: 1 day, and 1 preceding day for judicial reading.
12. For the purposes of the further case management conference, the Defendant must not less than 7 days before the hearing file and serve a bundle, which shall contain (inter alia) the statements of case, the orders, all the disclosed witness statements and a Note setting out his proposal for the trial of the case and the limiting of evidence.
13. The costs of this case management conference shall be costs in the case.

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Maurice Kirk
Puits Aux Papillons
St Doha
22230 Merdrignac
France

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AND UPON HEARING the Claimant in person and Lloyd Williams QC for the Defendant

IT IS ORDERED that:

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6. The costs of and occasioned by the amendment of the Particulars of Claim shall be paid by the Claimant to the Defendant in any event.
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10. No expert evidence shall be received at trial, none being necessary.
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One Kingsway
Cardiff
CF10 3DS
122723 CARDIFF 12

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