

Apparent Mistrial due to Continued and Further Failed Disclosure

Background

- 1 A 1st jury trial was held in April 2012 re supposed violation of the Restraining Order of 01.12.2011.
 - a. The jury requested court evidence of its service on this Defendant
 - b. The outcome was that the court told them the court records were irrelevant
- 2 A 'varied' Restraining Order was supposedly to have been issued on 12.04.2013.
- 3 A 2nd trial was to be held on 3rd Oct 12 re supposed violation of the Restraining Order.
 - a. The result was that the CPS offered no evidence due to fabricated evidence.
- 4 A 3rd trial was held in May 2014 re supposed violation of the Restraining Order.
 - a. Service of either Restraining Order was disputed by the Defendant and this has been supported by new police evidence in this latest trial.
- 5 This 4th jury trial was held
 - a. Without an identified Complainant,
 - b. leaving the obvious inference that South Wales Police are the only instigator; With 4 counts, three of which, pertaining to the supposed original Complainant, were dropped.
- 6 This leaves the Defendant with the reasonable suspicion that South Wales Police was the instigator of this trial, in collusion with the CPS.

Reasonable Suspicion of Mistrial of the 4th Jury Trial

- 7 From the outset, it appears that the jury had to be biased due to the extreme, exceptional and complex nature of the ongoing civil and criminal procedures that the Defendant has been subjected to.
- 8 No jury member can be expected to imagine that any wrongdoings of Public Authorities could be at the root of someone who is portrayed as a terrorist of the highest level.
- 9 Due to the refusal of the bundle that the Defendant's barrister had prepared, the jury was given no context or introduction to a possible fair and unbiased assessment.
- 10 Furthermore, the jury was misled by the earlier Recorder of Cardiff's ruling and the opening CPS speech in that the alleged offence for the jury's consideration was a breach of the varied restraining order of 12th April 2013.
- 11 The Defendant's prior applications were only to vary the original restraining order of 1st Dec 2011, at present denying him access to Caswell Clinic for a prior appointment with a Dr Gaynor Jones.
- 12 There has never been service of a 'varied' order unless it was during the 3rd jury trial on May 14th 2014, in itself only to be queried in the trial judge's 30th April 2014 order.

- 13 In any event, the Defendant cannot find a difference between the two orders or another way, the second one to be a 'variation' of the first.
- 14 The Defendant's lawyer drafted an application in October 2016 to rescind the original restraining order of 01.12.2011, relying on the facts that
 - a. the complainant had moved to New Zealand,
 - b. 5 years had passed without any incident
 - c. and new evidence proved there had never been 'service' of it on the Defendant in the cells on 1st December 2011.
- 15 After the 3rd jury trial in May 14 a District Judge, in Feb 2017, had to admit he could not find record that any restraining order had ever been served on the Defendant.
- 16 For that Feb 17 court hearing, about alleged 'harassment', the Defendant's lawyer had requested disclosure of the 1st Dec 2011 court log, its exhibits and clerk's contemporaneous records and NOT to apply for a rescinding of 1st Dec 2011 order.
- 17 That Feb 17 District Judge left the court for at least 15 minutes to 'find' those records had been altered which is why the 1st jury's request to see them was futile.
- 18 The CCRC have copies of these Dec 2011 notes before they were redacted or altered, but refuses to disclose for fear of the adverse consequences.
- 19 This current prosecutor's colleague admits that a copy of 1st Dec 2011 magistrate records was taken after doubting the 3rd restraining order verdict in May 2014.
- 20 A 5th jury trial will, therefore, now need to be quickly arranged for the Defendant to
 - a. to again try again to obtain those HMCTS (Wales) public records – so far refused in each jury trial and not insignificant approaches to the CCRC.
 - b. NHS (Wales) now needs to amend its medical records used originally by the South Wales Police to have this Defendant sectioned, indefinitely, into Ashworth high security psychiatric hospital without need of a trial.
 - c. The defendant will prove, beyond reasonable doubt, this conspiracy was to knowingly prejudice his ongoing civil proceedings for substantial damages.