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## **Confirmation of removal of information from website so that Mr Maurice Kirk is complying with the terms of the Restraining Order**

**WITNESS STATEMENT re SENTENCING HEARING on 17 NOVEMBER 2017**

My name is Sabine McNeill. I know Mr Maurice Kirk BVSc from organising meetings at the Houses of Parliament and publishing websites for people who suffer injustice at the hands of public sector institutions that are unaccountable when officials abuse their power and position.

1. Upon Mr Kirk's request, I have now removed all references to the name of a forensic psychiatrist (Dr TW) who apparently claims he feels harassed by publications that Mr Kirk has put on his blog. Obviously I need to say on behalf of Mr Kirk that as explained below in mitigation, Mr Kirk posted on his website as a last resort in the face of extreme and exceptional injustice, where there is clear and certain evidence that Dr TW has abused his position and been deceitful to the courts, but Mr Kirk has nowhere to complain.
2. Editing Mr Kirk's site includes
  - a. 363 blog posts and 43 blog pages;
  - b. 967 comments with tags, categories and an uncountable number of hyperlinks, unless special software is applied.
3. Hyperlinks, as well as the names of documents and images that are 'uploaded' to the site, are created by *Wordpress*, the publishing platform, beyond the control of the publisher. Although it may be possible to change the name of a link or file, such changes create 'broken links'. Often enough it is not possible to edit such names, for example when *Wordpress* publishes a link because blog readers 'reblog' a post on their own site.

### **Important Information in Mitigation**

The Court may wish to know how the evidence suggests that Mr Kirk has suffered substantial injustice by Dr TW writing reports that are so unusually incorrect, to raise whether the error was intended to harm Mr Kirk. Dr TW claimed many things but what was obviously untrue was Dr TW claimed that Mr Kirk has significant irreversible brain damage, to imply he is an increased risk by that condition<sup>1</sup>. Dr TW even allows some at South Wales Police to still circulate reports they must know to be false, to the police near Mr Kirk's home in France.

Also there is evidence that the NHS avoid a resolution that could admit liability. However Dr TW is now not working for the NHS and under the Data Protection Act has an obligation to both review and correct the medical records. But instead of correcting records, Dr TW prefers to try to put Mr Kirk in prison for protesting about the injustice.

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<sup>1</sup> <https://drive.google.com/open?id=0B8aTrTXscxFFRGFVTmtsRHkyRkU>

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Mr Kirk has nowhere to complain and has no option but to use his website. Yet the evidence that records are false is clear. By way of example:

- a. The official NHS Radiological investigation “all clear result”<sup>2</sup> occurred on 28.08.2009, before Dr TW came to his conclusions in October 2009, claiming there was significant irreversible brain damage;
- b. This 5-page report<sup>3</sup> with “*no convincing evidence of abnormality*” was written on 01.12.2009;
- c. This brain scan<sup>4</sup> taken on 28.11.2013 says “*intracranial appearances are within normal limits.*”

At all times, Mr Kirk has complained to Police, including Alan Fry, Chief Executive of South Wales Police in 2007. But instead of finding legal remedies, Police have used means and ways to ruin Mr Kirk’s family, business and reputation: by exaggerating what kind of risk Mr Kirk may be, they frequently pretend there is a need for prosecutions and imprisonment.

The effect this has had on Mr Kirk is inestimable. It is difficult for me to give details about his current life threatening health condition due to Confidentiality.

I could say much more regards the obvious exaggerations of risk by some at South Wales Police and the abuse of MAPPA measures which should have been communicated to Mr Kirk, but I aim to help the Court by keeping my statement brief and to limit my observations to the medical aspect, given his age.

The Court is asked to note that a main injustice also occurs in this case, because the General Medical Council (GMC) is in law, a Regulator of the medical profession and not a complaints body for the public. That means a lay person such as Mr Kirk, has no standing to complain and progress a clear grievance at the GMC, no matter how strong the evidence is.

Although there are some exceptions, (such as an allegation of sexual abuse) the only way for a complaint to the GMC to follow through into an investigation is for people who have a legal status by the various Medical/NHS Acts to refer a doctor to the GMC. Such as the NHS Medical Director (called by the GMC a Responsible Officer) relevant healthcare managers, or a Judge in a UK Court of Law.

In conclusion I ask the Court to seek resolution as in the case of Dr Waney Squier<sup>5</sup> who was reported to the General Medical Council by four Judges who felt she gave her honest opinion that was beyond her expertise or not adequately supported by the evidence.

In this case neither psychiatrist Dr TW nor psychologist Prof Wood are even medically qualified to determine the presence or absence of brain damage from brain scans and to report their opinions as expert witnesses to the Crown Court.

Neither did they instruct anyone who was medically qualified. As we can see, eight years later, there is still no evidence of significant irreversible brain damage to support what they said to the Court, when applying for Mr Kirk to be Sectioned for assessment or to draw their final conclusions.

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<sup>2</sup> <https://drive.google.com/open?id=0B8aTrTXscxFFYnhWTIFxWG02MDQ>

<sup>3</sup> <https://drive.google.com/file/d/0B8aTrTXscxFFbS1fZk5BTm0yNTQ/view?usp=sharing>

<sup>4</sup> <https://drive.google.com/open?id=0B8aTrTXscxFFU0NQNI90T2hOSUk>

<sup>5</sup> <https://www.judiciary.gov.uk/wp-content/uploads/2016/11/squier-v-gmc-protected-approved-judgment-20160311-2.pdf>

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In fact, we see all of the Radiological investigation medical evidence was always a normal, all clear result.

I am told it is a correct process of law under the various Medical Acts for any Judge hearing a case involving Dr TW and these issues, to seek to prevent further problems by referring Dr TW to the General Medical Council.

*Sabine K McNeill*

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McKenzie Friend

08 November 2017

