

## **Maurice Kirk v South Wales Police**

**BS614159, CF101741, CF204141, 7CF0734S.**

### **Application for Disclosure by way of Production of Sworn Affidavit by the Defendant stating the whereabouts of evidence so far undisclosed**

This Application Notice in which the Applicant seeks a court order of disclosure from the Defendant follows from previous court orders, so far apparently ignored.

Disclosure required is set out below from the 3 Actions, currently before the Cardiff County Court and is material that was once in the control, knowledge and/or possession of the Defendant.

Disclosure for the 4<sup>th</sup> Action will depend on the conduct of the outstanding Judicial Review bit of nonsense currently blocked by Collins J et al.

Disclosure is also sought for part of a 5<sup>th</sup> Action, not yet served on all the Defendants.

Since the commencement of these first 4 actions information has only just been revealed in the High Court of the routine behaviour of, John Thomas J, McComb J, Andrew Collins J, being but a few, featuring in the Plaintiff's 50 odd Judicial Review Applications relating to this case. There is also the cabal of HM Attorney General, HM Treasury Solicitor and HM court staff who conspired to prejudice the Plaintiff's position on disclosure including their attempt to block his having proper legal representation and to get him certified as a 'vexatious litigant', all known to the defendant's solicitors, as the Treasury Solicitor file reveals, now also needing full disclosure.

**NB** [Sir Nicholas Chambers QC, the management judge, is arranging its 'resurrection' for the Plaintiff's scrutiny before this application can be completed]

Further, evidence has only recently come to the Plaintiff's notice that the Royal College of Veterinary Surgeons (RCVS) and the Defendant, both acting as clients to Penningtons, solicitors of Gutter Street, London and/or RCVS lawyers, conducted a series of court proceedings, including those before the Judicial Committee of the Privy Council, 7 times, that were unlawful in both civil and criminal law. But then, who bloody cares?

Had the Plaintiff known of this illegal conduct of the RCVS in 2002, the latter now admitting the favourable evidence withheld for pending Judicial Review Application CO/ 8751/2007 may have

prevented the Plaintiff from being struck off the veterinary , it is now for the South Wales Police to so produce full disclosure to the management judge in order that this series of actions are put in the hands of themselves, the police and High Court to try the allegations of Malfeasance.

### **Case BS614519**

Disclosure sought includes:

8.3. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been well aware the applicant was insured , 3<sup>rd</sup> Party , at all material times in all the 5 Actions.

8.5 full audit trail caused by the traffic incident that will indicate the Defendant had just examined the same vehicle, the police officer had been informed as such and to the vehicle's origin, ownership and state of repair with the driver, under the balance of probabilities, having valid motoring insurance with the vehicle known to the Defendant as being both exempt of MOT and UK road fund tax.

8.6. full audit trail caused by the traffic incident that will indicate the defendant was well aware of the identity of the applicant before he was committed to prison, the origin and full record of the BMW motorcycle was lawfully on the road, the most likely purpose of the content of the panniers of said motor bike before the applicant was committed to prison. The identity of all the police present was sought from the moment custody took place and has always been refused because the applicant heard the discussion as to his identity and fact he had just been working on a farm (owned by HRH Prince Charles) with the veterinary equipment in a lawful manner.

The Duty Solicitor, who witnessed the applicant's interrogation and saw police written record, indicating the true identity of the applicant, before the applicant was committed to prison has since been warned off from giving evidence on behalf of the Plaintiff.

Both Inspector Twigg and the other police officers who were called from the Barry police station during the applicant's custody indicated to the defendant the true identity of the applicant before he was released from prison and before the direct action of his wife. All communications made between the RCVS and the Defendant relating to Maurice John Kirk is required for all these Actions.

the custody interview tape held at Fairwater police library and subsequent transcript, handed to the CPS, indicated the identity of the applicant long before he was committed to prison and what steps should have been taken to confirm once identity was indicated . Despite repeated requests for their retention both tape and transcript were deliberately destroyed out of malice, substituting a transcript at gross variance to that of the original.

Evidence a Ms Griffiths, the defendant now say, could not have spoken to the applicant from the Fairwater police tape library department holding the original tape in her hand as she spoke.

8.7 full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

Disclosure sought includes:

8.9/10/11 full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant had valid motoring insurance throughout all material times in any of the first 4 Actions.

the full audit trail will indicate the repeated communications, over a 10 year period, to both the applicant's agents, D&K Insurance Brokers, Ilton, Somerset and his numerous, ever changing Insurance Companies, changed only to hinder, limit and further prove the police harassment instigated in the first place by the same tactic by the Guernsey Police in 1981.

8.12 full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant had valid motoring insurance throughout all material times in any of the first 4 Actions.

full audit trail of record will indicate the defendant introducing a police officer to the court proceedings who saw 'an imaginary motor vehicle approaching the roundabout' that neither entered the roundabout nor caused a complaint about the applicant but was used as the only evidence of 'driving without due care and attention' against the applicant involving his travelling not more than 4 mph throughout the material time of the offence, evidence now admitted by the police before the RCVS, 8 years after the incident

Full audit trail of the record will indicate the knowledge shared with the Crown Prosecution Service of the serious risk of using the trial judge at the appeal in Cardiff Crown Court as the judge was deemed by many, within the judicial system and as the transcript portrayed, as not competent due to his then current state of mental health.

Full audit trail of record will disclose the information disclosed and how it was disclosed to the Royal College of Veterinary Surgeons in order to have the applicant removed from the veterinary register.

8.13. Full audit trail caused by the theft and delayed recovery of the BMW motorcycle that will indicate the Defendant was well aware or should have been aware of the applicant's property when denying it at the time.

8.14. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

8.15. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant had valid motoring insurance throughout all material times in any of the first 4 Actions.

8.16. Full audit trail created after the Duty Custody Officer ordered the release of the applicant without charge indicating no damage had been done and that the inspector's conduct of arrest of the applicant was malicious.

Disclosure sought includes:

8.17. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

8.18/19/20/21 full audit trail caused by Paul Stringer at 52, Tynewydd Road, Barry that will indicate the Defendant was well aware or should have been aware that the applicant's request for protection for both himself and his property was a duty of care in the then current circumstances and the added failure to arrest and convict Stringer or properly investigate was unlawful.

8.23. Full audit trail required of the incident in LLantwit Street, Barry, to Barry magistrates acquittal without evidence needed from the defence. It will disclose further malice in that the vehicle in question was examined AS WERE SO MANY, as referred to in the above and subsequent paragraphs, prior to the incident in an attempt to fabricate false traffic offences and communicating with the believed Insurance Companies associated with the applicant with the hope insurance will eventually be declined. Eventual theft and destruction of the vehicle was orchestrated by the Barry police.

8.26. Full audit trail caused by the incidents at Animal Health Centre, 175, Cowbridge Road, Cardiff leading to and including the unlawful break-in by the police on behalf of the Defendant and subsequent unlawful conduct committed upon the applicant. It will also show that, despite the applicant having previously disclosed the relevant facts, the name of occupant with police officer's daughter, the Defendant has again deliberately destroyed damaging evidence to the Defendant in order to protect again those implicated in this Action.

### **Case CF101741**

Disclosure sought includes:

**2.1.** Full audit trail caused by alleged incident that will indicate the Defendant was well aware or should have been well aware the applicant was innocent and that information from Christopher Paul Ebbs was spurious at least and thoroughly dishonest at best, the Defendant knowing the mental and criminal history of Ebbs. Ebbs's involvement with the Defendant concerning the 4 Actions are to be revealed under the laws of disclosure.

Will confirm the trial the Defendant claimed he had proof for a conviction was, in fact, false. On cross examination it was confirmed. During an adjournment the Defendant fabricated a document, still in the possession of the defendant and Crown Prosecution Service, despite it being used in evidence, refused to disclose for these or any other proceedings when so asked for it before the court.

The production of the prosecution document caused the immediate collapse of the prosecution's case deliberate to prevent further cross examination of the main police witness and so prevent disclosure of further evidence of the long drawn out orchestrated campaign of harassment with the full support of the South Wales Crown Prosecution Service. Disclose that document.

Disclosure sought includes:

**3.1** Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant was insured and with a roadworthy taxed vehicle. It will disclose that the avoiding of the old man on a pre war cycle, wobbling at 4 abreast in the road, caused the applicant to cross the single white line at not more than 4mph in order to avoid a serious accident. Subsequent loss of driving licence, being struck off as a practicing veterinary surgeon for that single offence, following the clandestine and unlawful communications with the RCVS by the Defendant to disclose his police record, some of it false, being contrary to HO regulations 45/87, will further confirm unlawful conduct has been occasioned in order to cause further harassment and prejudice these proceedings with the inability of the Plaintiff to obtain an income from his qualifications.

4.1. Full audit trail caused by the incident that will indicate the defendant was lying in court and allowed false information to be released to the RCVS who vindictively used it to obtain the remove the Plaintiff from the veterinary register in return for favours.

In or about March 2002 South Wales Police arrived in force at the RCVS Head Quarters to give evidence on oath, contrary to a High Court ruling. Evidence prepared between their lawyer, the same for the RCVS, was never heard or served in advance on the applicant, contrary to law.. That information and how it was obtained is applied for by the applicant NOW as paragraphs in these Actions featured within that information and is detrimental to both the RCVS case of 2002 and the current police defence case.

5.1. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

evidence the CPS officer in the case was arrested and the file was secured by police sergeant Hill on behalf of the Defendant. That case file, in its entirety is again applied for. How and who destroyed the documents, clearly identifying who was the driver was and where he lived, the Defendant knowing full well it had not been the applicant, having an alibi, working as a veterinary surgeon elsewhere?

6.1. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

The evidence that someone believed he was obliged to submit a specimen of breath.

7.1 Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents had the defendant been minded to so request.

Evidence the defendant continues to refuse to disclose any record what so ever of the incident, despite the fact the Defendant was prepared to use the police helicopter, putting him and his passenger in serious danger, by the manner of incident in controlled air space.

Further, what enquiries have been made of the defendant by the CPS and will it be disclosed?

Disclosure sought includes:

8.1 . Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

How the breath test is stated as positive at the scene of the incident but within 20 minutes it is recorded as zero by the definitive test under the control of the defendant if it was not just one more case of unlawful harassment?

9.1. . Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

Just what secret and/or Masonic connections did Kihlberg have to allow him not to be suitably reprimanded, if not jailed, in a number of these incidents? E.g. in this case the applicants car was hidden by him for 6 weeks , full of dangerous drugs, left unlocked in a public place, sufficient medication to kill a 3 figured number of adults. E.g. for a Cardiff Crown judge to believe the Defendant, despite the applicant with doctor's certificate being unable to present his appeal for being on morphine derivative drugs following an abdominal operation, must have been unlawful?. E.g. and to then for Kilberg to go on to give false evidence before the RCVS court without even revealing he was a client of the RCVS! The applicant also applies for all this disclosure of clandestine behaviour under the Human Rights Act, Data Protection Act and Freedom of Information Act.

10.1. Just why the defendant continues to refuse to disclose the information as to why the applicant was made to stop on the highway by the defendant in pretty quick succession.

11.1. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents, did not require a seat belt and the overhead video revealed an assault by the Defendant.

As to why there is still no disclosure of the full record of applicant's custody in various Cardiff police stations, leading now to unlawful destruction of interview record and adulteration of video tape, in an attempt to hide the identity of custody officers.

What information was imparted to the RCVS and /or Penningtons? When, where and why?

Disclosure sought includes:

12.1 Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents.

How come the breath test is stated as positive at the scene of the incident but within 20 minutes it is recorded as a mere trace by the definitive test under the control of the defendant if it was not just one more case of harassment?

How come the audit trail is not yet disclosed as to how the Defendant planted police in the well of the court to signal to each police officer, in turn, in the box while cross examined by the applicant and no one has gone to prison for it?

Where is the audit trail now, originally under the Defendant's control, with a result of the jury repeatedly sending notes to the judge that finally collapsed the case but the illegal conduct of the Defendant again being hushed up by a judge. What record is there of the enquiry that followed including the fact the Defendant disclosed to the RCVS the applicant was sent to prison for contempt of court?

**[May I suggest the Defendant do the reciprocal arrangement and just simply hand over the CPS prosecution files and their own to the plaintiff, as claimant did years ago with 80 odd leaver arch files of his defences, on around 130 police charges, losing but 9. Then the lot goes before a judge who is not bent. Will it not expedite this case, albeit curtail the income, in the interests of the taxpayer or does the influence of Freemasonry still command this case?]**

13.1 Why is Kihlberg again being protected from his committing perjury in this court case. Where is the audit trail leading up to the trial and where and by whom set him up to further lie in the Crown Court?

14.1. What the applicant is still waiting for, the full police record of this case.

14.3 What the applicant is still waiting for, the full police record of this case and evidence there was a complaint against the plaintiff, where, when and by whom?

#### **Case CF 204141**

Disclosure sought includes:

**2.1.** That communication between the CPS, defendant, court staff and RCVS to allow the altering of allegations on documentation after it was before court leading to the withdrawal of the .....

3.1 The record of the investigation when the thief was identified to the Defendant.

4.1. What the applicant is still waiting for, the full police record of this case and evidence there was a complaint against the plaintiff, where, when and by whom?

6.1. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents and was not or likely to have been a disqualified driver.

Any evidence to indicate that the defendant used due diligence in obtaining the eye witness's identity, standing a few feet from the incident by her car, despite the number and description of her vehicle being noted in the police note book demanded, at the time, by the applicant.

Any evidence other witnesses at the scene were known to the Defendant and or were interviewed.

6.2. Full audit trail caused by traffic incident that will indicate the Defendant was well aware or should have been aware that the applicant complied with the law in the production of his driving documents and was not or likely to have been a disqualified driver.

Enc. MJK reply to 11th Feb 2008 RCVS submissions for JR Application

**CO/8751/2007**

**In Conclusion.**

**Because disclosure sought includes:**

**such widespread deceit in these cases and within the conduct of others within HM establishments, to include the RCVS, the applicant applies for all Actions, lodged against the South Wales Police, to be transferred to the High Court as there is overwhelming proof of Malfeasance.**

Statement of Truth

**The applicant believes that the information stated in this application for Disclosure and transference of cases to the High Court is true.**

**Maurice J Kirk BVSc**

**24<sup>th</sup> March 2008.**

