

IN THE COURT OF APPEAL

Appeal Court Ref: A2/2017/2747
Claim No. C90CF012

ON APPEAL FROM THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

CARDIFF DISTRICT REGISTRY

(HIS HONOUR JUDGE KEYSER QC SITTING AS
A HIGH COURT JUDGE)

B E T W E E N : MAURICE JOHN KIRK

Appellant

- and -

SECRETARY OF STATE FOR JUSTICE

1st Respondent

and

PAROLE BOARD FOR ENGLAND AND WALES

2nd Respondent

and

CHIEF CONSTABLE OF SOUTH WALES POLICE

3rd Respondent

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(Discussion removed from Q.B and A.C. Law Reported cases)

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1. CPR Pt. 52.6(1)(a)(b) – (White Book 2017 Vol 1, 1781-1782, para. 52.6.1-2)

2. *Ex p. Gilchrist re Armstrong* [1886] 17 Q.B.D. 521 (Headnote 521, 527-528)
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7. *Midland Rollmakers v. Collins* [1981] WL Case analysis
8. *Frogmore Estates plc v Berger* [1989] T.L.R
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11. *Drummond-Jackson v. B.M.A.* [1970] 1 W.L.R. 688 (Headnote 688-689, 695-697, 699-700)

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12. *Lonrho v. Tebbit* [1991] 4 All E.R. 973 (Headnote 973-975, 979-980)
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17. *Wenlock v. Moloney* [1965] 1 W.L.R. 1238 (Headnote 1238-1239, 1242-1244)
18. *Swain v. Hillman* [2001] 1 All E.R. 91 (Headnote 91, 95-96)
19. *Phelps v. Hillingdon L.B.C.* [2001] 2 A.C. 619 (Headnote 619-620, 673)

20. Thames Trains plc v. Health and Safety Executive [2003] All ER (D) 310 (May) (1-2, 6)
21. Richards (trading as Colin Richards & Co.) v. Hughes [2004] P.N.L.R. 35 (1-2, 7-8)
22. Moneypoint v. Morse [1985] WL Case analysis

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23. Schedule 1, Article 8 & 10 ECHR, Human Rights Act 1998 – (White Book 2017 Vol 2, Section 3D Proceedings under the Human Rights Act, 1490)
24. Section 244-256A of the Criminal Justice Act 2003
25. Criminal Justice (Sentencing) (Licence Conditions) Order 2005

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26. CPR 7.2 – (White Book Vol 1 Part 7 How to Start Proceedings—The Claim Form, 421-422)
27. An Bord Bainne Co-operative Ltd. (Irish Dairy Board) v. Milk Marketing Board [1984] 2 C.M.L.R. 584
28. Davy v. Spelthorne BC [1984] A.C. 262 (Headnote 262-263, 269-270, 272-279)
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30. Gillick v. West Norfolk & Wisbech Area Health Authority [1986] 1 A.C. 112 (Headnote 112-115, 163, 177-178)
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39. *Dunn v. Parole Board* [2009] 1 W.L.R. 728 (Headnote 728-729, 737, 743-745, 749-750,)
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49. *Everett v. Griffiths* [1921] 1 A.C. 631 (Headnote 631-632, 683-687)
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54. Section 3-4 of the Human Rights Act 1998 – (White Book 2017 Vol 2, Section 3D-28 Proceedings under the Human Rights Act, 1469-1472)
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57. Schedule 1, Article 5 ECHR, Human Rights Act 1998 – (White Book 2017 Vol 2, Section 3D-28 Proceedings under the Human Rights Act, 1489)
58. R. (Kaiyam & ors. v. Secretary of State for Justice [2015] A.C. 1344 (Headnote 1344-1346, 1358-1374, 1382-1385, 1389)

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60. Section 24-24A of the Police and Criminal Evidence Act 1984
61. Walters v. W.H. Smith & Son Ltd. [1914] 1 K.B. 595 (Headnote 595, 601-608)