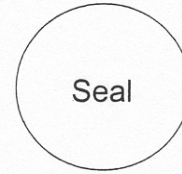


Judicial Review Claim Form

In the High Court of Justice
Administrative Court

Notes for guidance are available which explain how to complete the judicial review claim form. Please read them carefully before you complete the form.

<i>For Court use only</i>	
Administrative Court Reference No.	
Date filed	



SECTION 1 Details of the claimant(s) and defendant(s)

Claimant(s) name and address(es)

name

Stafford William Gillies Freeborn

address

Telephone no.

Fax no.

E-mail address

Claimant's or claimant's solicitors' address to which documents should be sent.

name

address

Telephone no.

Fax no.

E-mail address

Claimant's Counsel's details

name

address

Telephone no.

Fax no.

E-mail address

1st Defendant

name

Independent Police Complaints Commission

Defendant's or (where known) Defendant's solicitors' address to which documents should be sent.

name

Mr. Oliver Carr

address

Independent Police Complaints Commission
90 High Holborn
London WC1 6BH

Telephone no.

08453 002 002

Fax no.

020 7242 4695

E-mail address

2nd Defendant

name

Defendant's or (where known) Defendant's solicitors' address to which documents should be sent.

name

address

Telephone no.

Fax no.

E-mail address

SECTION 2 Details of other interested parties

Include name and address and, if appropriate, details of DX, telephone or fax numbers and e-mail

name _____

name _____

address _____

address _____

Telephone no. _____

Fax no. _____

Telephone no. _____

Fax no. _____

E-mail address _____

E-mail address _____

SECTION 3 Details of the decision to be judicially reviewed

Decision: **The decision by Mr. Oliver Carr in his letter dated 18 February 2010 to support the Sussex police request for dispensation to drop my complaints.**

Date of decision: **I was informed by his letter dated 18 February 2010 recd. by me 19 February 2010**

Name and address of the court, tribunal, person or body who made the decision to be reviewed.

name **Police Complaints Commission**

address **90 High Holborn
London WC1V 6BH**

SECTION 4 Permission to proceed with a claim for judicial review

I am seeking permission to proceed with my claim for Judicial Review.

Are you making any other applications? If Yes, complete Section 7. Yes No

Is the claimant in receipt of a Community Legal Service Fund (CLSF) certificate? Yes No

Are you claiming exceptional urgency, or do you need this application determined within a certain time scale? If Yes, complete Form N463 and file this with your application. Yes No

Have you complied with the pre-action protocol? If No, give reasons for non-compliance in the space below. Yes No

Does the claim include any issues arising from the Human Rights Act 1998? If Yes, state the articles which you contend have been breached in the space below. Yes No

Articles 5,6,17, and 18

SECTION 5 Detailed statement of grounds

set out below attached

My complaints against the Sussex police have never been properly investigated.

Mr. Carr's assessment is evasive and at times deceitful.

Mr. Carr had no right to do his own independent investigation. The PCC had assigned the investigation to Sussex police. When they asked for dispensation to drop the investigation he should have looked at their reasons and decided whether they were acceptable and in compliance with his instructions of 30 May 2009, and answer accordingly. If the PCC wanted to take over the investigation they should have done so formally. For him to behave the way he did was a blatant abuse of procedure.

Under the Police Reform Act 2002 paragraph 4 (1) (b) Schedule 3, because the complaints allege dishonesty in senior officers, the PCC should not have given complaints to Sussex police in the first place.

SECTION 6 Details of remedy (including any interim remedy) being sought

I want the court to overrule Mr. Carr's decision and appoint another police force or "appropriate authority" as set out in the Police Reform Act 2002 to carry out a full and proper investigation of my complaints.

In view of Mr. Carr's behaviour I do not consider that the PCC would be an appropriate authority.

SECTION 7 Other applications

I wish to make an application for:-

The Court may wish to delay deciding this application until my complaint against the Ministry for Justice currently with the Parliamentary Ombudsman is decided and also await the Ombudsman's decision on my complaint against the Minister for police at the Home Office . See Tab 8

and

Former DI John Kevin May to be called as a witness.

Mr. Terrence McCarthy-Fox to be called as a witness.

SECTION 8 Statement of facts relied on

I submitted complaints to the PCC against Sussex police. These were sent to Sussex police to investigate on 6 July 2006. They applied for dispensation to drop the complaints. Eventually in April 2007 the PCC refused the application and instructed Sussex police to investigate. Mr. Alan Coole and Sgt. Nick Chambers met with me on 3 May 2007. Although he already had been given complete documentation by the PCC he requested that I write it out all over again for him, and added that I should include any other complaints that I had and name names. I did this and personally delivered the completed and bound folder to his office on 16 May 2007. So far as I know no investigation was done and I never received any 28 Day progress reports as required by police rules and promised by Coole on 3 May 2007. I heard absolutely nothing from Sussex police for over 10 months.

On 22 March 2008 I received a letter from DS Parrott that, as head of investigations, he had decided that "there will be no more investigation initiated from within this department". I mailed a complaint against this to the PCC that same day. On 15 May (7½ weeks later) I received a letter from Oliver Carr of the PCC enclosing an official appeal form. I completed the form and mailed it back to him that day. On 14 June I received a letter from Mr. Carr informing me he had upheld my appeal.

On 27 June 2008 I received a letter from DS Parrott informing me that he had decided "investment of any more time and resources investigating my complaints could not be justified. On 14 July 2008 I appealed to the PCC against this decision. On 30 May 2009 I received a letter from Mr. Carr stating he had upheld my appeal, a copy of that decision is in the bundle see Tab 1.

I heard nothing further from Sussex police till 7 November 2009 when I received a letter from DS Parrott informing me that he was once again applying to the PCC for a discontinuation of my complaints. See Tab 3. Since they received my original complaints on 6 July 2006 until that letter I am not aware that any investigation has ever been done and I certainly have never received any of the required 28 day progress reports. On 19 February 2010 I received a letter from Mr. Carr saying he had agreed to the application. See Tab 5

A detailed refutation by me of the reasons given by Mr. Carr is in a separate folder. I am not a lawyer and do not know British legal conventions on how this should be set out so I have done it in a narrative form that I think is clear, logical, and easily understandable.

I have taken the text of Mr. Carr's reasons set out in full size in Tab 5 and reproduced the text to 10 point Times New Roman type. My comments are inserted in the text at the appropriate places in 12 point Arial type.

Where I thought supporting documents should be included I have noted this and given their location in my comments. If I make any claim and do not include documentary proof please let me know what you want and you may be sure I will provide it.

Statement of Truth

I believe ~~(The claimant believes)~~ that the facts stated in this claim form are true.

Full name **Stafford William Gillies Freeborn**

Name of claimant's solicitor's firm _____

Signed _____ Position or office held _____

Claimant ~~(X) (X) (X) (X)~~

(if signing on behalf of firm or company)

SECTION 9 Supporting documents

If you do not have a document that you intend to use to support your claim, identify it, give the date when you expect it to be available and give reasons why it is not currently available in the box below.

Please tick the papers you are filing with this claim form and any you will be filing later.

- | | | |
|--|--|-----------------------------------|
| <input checked="" type="checkbox"/> Statement of grounds | <input checked="" type="checkbox"/> included | <input type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Statement of the facts relied on | <input checked="" type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Application to extended the time limit for filing the claim form | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Application for directions | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> Any written evidence in support of the claim or application to extend time | | |
| <input checked="" type="checkbox"/> Where the claim for judicial review relates to a decision of a court or tribunal, an approved copy of the reasons for reaching that decision | | |
| <input checked="" type="checkbox"/> Copies of any documents on which the claimant proposes to rely | | |
| <input type="checkbox"/> A copy of the legal aid or CSLF certificate <i>(if legally represented)</i> | | |
| <input type="checkbox"/> Copies of any relevant statutory material | | |
| <input type="checkbox"/> A list of essential documents for advance reading by the court <i>(with page references to the passages relied upon)</i> | | |

Reasons why you have not supplied a document and date when you expect it to be available:-

I have not yet received the Parliamentary Ombudsman's decision on my complaints against the Ministry for Justice and the Home Office. Details of what these complaints are and what they are about are set out in Tab 8.

I have no idea when they will rule or whether or not I will ever receive answers.

However, if they are decided in my favor it will have some effect on the issues raised in this application for Judicial Review.

Signed _____ Claimant ('s Solicitor) _____