

Preston Combined Court Centre

**In The Matter of
Ms Ann Clarke**

Representing Ms Ann Clarke:-
Her Executor by: Mr Michael Clarke

Before

The Honourable Mr Justice Peter Jackson

In The Matter of Costs Item 5 of the Order dated 9th October 2012.

Statement of Case.

Mrs Clarke is unable to fully present her case to the court as to her costs as the receiver/deputy Mr Hugh Jones along with Mr Alan Eccles and previously Martin John as Chief Executives of the Office of the Public Guardian who have in professional joint enterprise acted to obstruct the course of Justice in their refusal to properly account as to both income and expenditure on an annual basis to her for what is her own money.

The burden of proof lies on these persons of fiduciary position to show they are not taking advantage to cover deception against her money.

The Professional receiver/deputy's own statements show that between 2001 to 2009 the payments to the Clarkes were little more than the 6% interest being paid out by the Courts Fund Office during these years so that besides the consideration of tax payment the capital sum held should have remained fairly intact. How can the so called professional with full control over Mrs Clarke's money then try and lay the blame on the depletion of her money on a layperson carer. Beside Mrs Clarke being the so called client no privilege shall arise when there is prima facie appearance of serious or complex fraud or dishonesty, this also extends to tortuous acts involving deceit of conspiracy complicity to collusion.

Entitlement to privacy, can this be misused when there are large sums of money to be had, living of the backs of little old ladies. Every thing secret degenerates, even the administration of Justice; nothing is safe that does not show how it can bear discussion and public scrutiny.

It is certainly expected this court will ensure Mrs Clarke is availed with all its parens patri jurisdiction for her protection and demonstrate itself as a properly convened court of law under the definitions of article 6 of the Human Rights Act and to ensure it upholds a basic principal of law for full and proper disclosure between the parties which have had the court before them.

Orders of the Court.

Before any order as to costs are made we apply for the following Interim Orders of the Court against the solicitor Mr Hugh Jones and the standing Chief Executive of the Office of the Public Guardian Mr Alan Eccles.

1. An Order for the full and proper disclosure of the year by year accounts for both income and expenditure, the annual tax returns and the files of both the solicitor Hugh Jones and the Office of the Public Guardian.
2. An Order that no documents or communications should be destroyed, removed, defaced or in anyway be with-held from Mrs Clarke or her Executor Mr Michael Clarke.
3. An Order restraining solicitor Hugh Jones or and of his colleagues or agents from any further harassment upon either of the applicants for these orders.
4. An Order for the receiver and chief executive Alan Eccles to demonstrate their financial jurisdiction whilst the client was in emigration for four and a half years where the exchange rate losses incurred amounted to over £100,000



By: Michael of the family Clarke EXECUTOR