

IN THE MATTER OF
ANN CLARKE

FROM MIKE & ANN CLARKE DATED 13.09.2012

Note: Our apologies for the delay but our internet service has been disrupted over the last 14 days and being in Spain has delayed this submission but, considering the late arrival of HUGH JONES's first statement and the also the then, late arrival of HUGH JONES's final submission we assume there will be no objections.

FINAL SUBMISSIONS

Gratuitous Care

Define Gratuitous

1. Uncalled for; lacking good reason; unwarranted.
2. Given or done free of charge.

My mother called for care, her reasons were not lacking and they certainly were warranted. Care was not given freely, in many successive complaints made to the receiver deputy HUGH JONES where matters pointed out to him were of the nature that I was being discriminated against by not being given equal opportunities to a carers pay that was awarded in private damages for carers, that was in fact paid to others at the rate of £12 per hour.

Was HUGH JONES ever clear about gratuitous care payments? NO he was not, never.

Did it come clearly defined with paperwork ie wage slip. NO it definitely did not, ever.

Can you base your life on care payments? No you cannot, never.

Can you obtain a mortgage loan to purchase a house? NO definitely not. In fact it was pointed out again to HUGH JONES in a letter of complaint how one could not even open a bank account by not being able to demonstrate any income of any nature belonging to me the carer. This matter continued for 11 long years.

In summary we conclude that the care given to my mother over 16 years warranted payment like any other especially within the private damages that were awarded to pay for care that **WAS called for** by my mother, that **was FOR good reason** & that **was warranted!** It therefore was not gratuitous; it was in fact plain and simple care, like any other care & should not have been discriminated against by trashing my equal opportunities to that payment. It was not done free of charge, complaints are documented of which HUGH JONES ignored.

Had my mother been injured without any damages being awarded I would still have cared for her but free from that charge & therefore on a gratuitous basis. We also submit that my mother's own recognition of the unpaid care that has been given over a period of 5 years prior to the damages award in 2001 (1996-2001) and the unpaid care given during the damages award of the last 11 years (2001-2012) a total period of 16 years and also the projected potential care to be given over the next what could be 10 years if her life expectancy predictions came true a period that could total some 26 years is sheer unadulterated rational views of wanting to gift her own property to avoid all or any conflict within family or courts that has and is being denied to her against her human rights.

Technically, because of her being denied those rights whilst also actually having capacity to make these decisions and also combined with what we believe to be a total miscarriage of justice from the very outset, the property I consider to be mine, that I, am being deprived of unjustly and in a discriminatory fashion to suit what will only be more continued mal administration, theft, fraud and criminal neglect.

Not only is my mother's own personal entitlement to human rights been trashed, mine too is also receiving the same treatment.

In a period of 25 years I could have been paid a wage and I could have then paid a mortgage and therefore could have owned outright my own property that has through this corrupt process been denied to me. You the Judge no doubt own your own home and no doubt the receiver deputy HUGH JONES owns his own home as indeed so does my brother whom has consistently got on with his own life to pay a mortgage for his own home. My sister too owns several homes of her own some she rents out that after deciding 16 years ago that her mother needed to go into a care home she proceeded to bring her and leave her at my place of business currently at that time a public house.

We submit that I am entitled as you all are to own my own home that has been gifted.

We submit that my mother is entitled to continue to live in her home that she wants to gift.

We submit there is no rational, sane reason to sell or dispose of this property that's providing income that comes under tax thresholds for lodgers.

We submit as EXECUTOR to mums living will that this property cannot be sold.

As regards a further hearing we are as you are already aware not prepared to give any consent to any hearing as we claimed, as we still do, common law jurisdiction and would like this to be presented before a fully lawful common law court with a jury of 12 that clearly displays no conflict of interests in where the BAR i.e. JUDGE is judging the BAR i.e, Solicitor Hugh Jones's conduct in this matter. CONFLICT of interests is clear.

We do not believe a further hearing in these unlawful proceedings is therefore correct unless we are to receive our rights met under due process and therefore not to be denied such due process as we have continued to endure showing a clear violation and trespass of treason upon our Civil Liberties protection 6 section 2.

Costs

There should be no costs awarded to HUGH JONES. He is still under investigation by Parliamentary Health and Service Ombudsman. They should be awarded against him.

He clearly has still not provided detailed accounts of income and expenditure of the entire period where he has mal administered a total of over £1.1 million and as EXECUTOR to mums living will where the protection of her estate is my duty, I demand the court issue's an order to provide those 11 years of detailed income and expenditure that he still has failed to do. Mr HUGH JONES also was aware of the doctor's reports confirming her decision making abilities in all matters not least of all a will so why should he be awarded any costs?



Signed
Michael of the Clarke family



Signed
Ann of the Clarke family