

# The Investigatory Powers Tribunal

## Human Rights Claim Form

Form T1

Please use this form if your claim is that your human rights have been infringed within the terms of the Human Rights Act 1998.

You will need to complete this form if your claim is against any of the intelligence services or one or more of the public authorities listed in the accompanying T1 information leaflet or the Tribunal website ([www.ipt-uk.com](http://www.ipt-uk.com)). Your claim must also include circumstances which involved (or which currently involve) the conduct described in the information leaflet.

If you wish to make a complaint, please complete Form T2.

Please complete the form legibly, in black or dark ink and in block capitals. When you have completed the form please sign and date it together with any separate sheets which you wish to submit alongside the main form.

You must also supply, either in or alongside the T1 form, a summary of the information and any other documentary evidence, where appropriate, on which your claim is based.

### Your Details

Your surname **Kerr**                      Your surname at birth (if different)

Your surname at the date(s) when the events complained of occurred (if different)

Your forename(s) **Philip Michael**

Any other names by which you were commonly known when the events complained of occurred

Title (Mr, Mrs, Miss etc.) **Mr**      Date of birth **8<sup>th</sup> December 1960**

Your current address, including your postcode

**8 Queenspark, Pipers Lane, Heswall, Wirral. CH60 9HP**

If this form is being submitted by your solicitor or adviser, please complete this section.

Surname of solicitor or adviser **Allman**                      Initials **J W**      Title **Mr**

Name of firm (if applicable)

Address, including postcode

**16 Western Road, Launceston, Cornwall. PL15 7AS**

Please answer the following questions to the best of your knowledge and belief. If there is insufficient space on this form please use an additional sheet of paper if you need to, making it clear to which questions the additional information relates.

1. WHICH ORGANISATION (OR ORGANISATIONS) DO YOU BELIEVE HAS INFRINGED YOUR HUMAN RIGHTS? (See the information leaflet or Tribunal website)

**The Security Service (MI5)**

2. WHICH OF YOUR HUMAN RIGHTS DO YOU BELIEVE HAS BEEN INFRINGED? (See the information leaflet or Tribunal website)

**Without prejudice to my other Convention rights, the judgment of the Tribunal in IPT/15/134/C on 20<sup>th</sup> January 2016 was that if the apprehended harassment alleged in that T2 claim were actual, then my Article 8 right at least has been infringed. The Tribunal therefore ordered me to make this T1 claim within seven days. (The Tribunal thus avoided the need to rule upon whether the Tribunal had jurisdiction under RIPA s65(2)(b) to hear claims brought against this Defendant under the Protection From Harassment Act 1997.)**

3. AT WHICH PLACE OR PLACES WERE YOUR HUMAN RIGHTS INFRINGED?

**Various, as set out in my evidence, directed to be filed within 56 days of the said hearing of 20<sup>th</sup> January 2016.**

4. WHAT HAPPENED? (Please give details of what happened and, if it is not obvious, why you believe that what happened amounted to an infringement of your human rights. See the information leaflet or Tribunal website)

**Harassment of me as set out in the Particulars of Complaint in previous T2 complaint IPT/15/134/C (q.v.).**

**The tribunal has invited the present T1 claim, having considered that the facts asserted in my T2 complaint amounted to an infringement of my human rights.**

5. ON WHAT DATE DID THE INFRINGEMENT HAPPEN AT EACH PLACE? (See the information leaflet)

**Various dates, as set out in the evidence to be filed by 16<sup>th</sup> March 2016.**

6. SUMMARY OF RELEVANT TELEPHONE NUMBERS, E-MAIL ADDRESSES, VEHICLE REGISTRATION NUMBERS ETC. RELATING TO YOUR CLAIM

**This has been a programme of harassment lasting over twelve years, which is still continuing.**

**The majority of incidents do not have relevant telephone numbers, email addresses, or vehicle registration marks.**

**Where these are available, the workbook (to be provided) will give the requested information.**

7. IS THERE EVIDENCE, OTHER THAN YOUR OWN, IN SUPPORT OF YOUR CLAIM? IF SO, WHO COULD PROVIDE THAT EVIDENCE? WHAT IS THAT EVIDENCE LIKELY TO BE?

**Yes. Witness statements from others present during harassment.**

8. IF THE EVENTS WHICH YOU ARE COMPLAINING ABOUT HAPPENED MORE THAN ONE YEAR AGO, PLEASE PROVIDE A FULL EXPLANATION FOR THE DELAY IN SUBMITTING YOUR CLAIM (See the information leaflet)

**The Tribunal, at the hearing in my T2 complaint at which it ordered this T1 claim, agreed to address events more than a year ago.**

9. IF THE TRIBUNAL UPHOLDS YOUR CLAIM, WHAT REMEDIES DO YOU SEEK? (See the information leaflet)

**Compensation, and such other remedies as are needed to do justice, in the light of the facts discovered.**

Do you wish correspondence from the Tribunal to be sent to you or to your solicitor or adviser instead of to you? Please tick one box only.

Please send correspondence to me.

Please send correspondence to my solicitor/adviser instead of me.

**(This decision applies to hard copy correspondence, in the unlikely event that any is needed, when it is not possible to send the correspondence to both me and my adviser. Email correspondence should please be sent to the same list of recipients as for the related T2 complaint, IPT/15/134/C.)**

## Confidentiality

Your claim will be handled in confidence. To carry out its functions, the Tribunal has power to call for any official documents or information it may need. The Tribunal cannot disclose details of your claim without your permission (except for the information described in Tribunal Rule 7(2)(a) and (b) quoted in the information leaflet). If it does not have your permission to disclose details of your claim it may not be possible for the Tribunal to investigate your claim properly (see the information leaflet).

Please tick here if you are prepared to give that permission.



## Declaration

I have answered all the questions on the application form to the best of my knowledge and belief.

Signature



Date

26<sup>th</sup> January 2016