

# The Investigatory Powers Tribunal

## Complaint Form

### Form T2



Please complete this form if your complaint is against any of the intelligence services or one or more of the public authorities listed at the end of the T2 information leaflet, and if it is not a human rights claim. If you wish to make a claim under the Human Rights Act 1998, please complete Form T1.

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 along with the form itself.

You must also supply, either in or alongside the T2 form, a summary of the information and other documentary evidence, where appropriate, on which your complaint 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**

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

Surname of solicitor-advocate ..... **Allman** .....

Initials ..... **J W** ..... Title ..... **Mr** .....

Name of firm (if applicable) .....

Address, including postcode ..... **16 Western Road, Launceston, Cornwall. PL15 7AS** .....

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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. TO WHICH ORGANISATION(S) DOES YOUR COMPLAINT RELATE AND WHY? (Please see the list in the information leaflet, refer to our website or telephone the Tribunal Secretariat on 020 7035 3711. This includes persons acting on behalf of an organisation.)

The Security Service (MI5).	I believe that MI5 is my harasser.	That belief is well-founded.
<p>2. WHAT IS THE NATURE OF THE CONDUCT COMPLAINED OF?</p>	<p>3. WHAT IS YOUR COMPLAINT?</p>	<p>4. AT WHICH PLACE OR PLACES DID THE CONDUCT OF WHICH YOU COMPLAIN HAPPEN?</p>
<p>(The Tribunal can only consider your complaint if it comes under one or more of the following headings. Please tick the box or boxes which apply to your complaint.)</p>	<p>(Please give details of the conduct you are complaining about, including telephone numbers and e-mail accounts, and say why you think your complaint falls within the category or categories which you have ticked.)</p>	<p>(Please give the full address of any property and details of any vehicles to which the complaint relates.)</p>
<p><input checked="" type="checkbox"/> <b>Conduct which you believe to have been carried out in relation to you, by or on behalf of any of the UK intelligence services.</b> That conduct may relate to you, your property or your communications. You can complain of that conduct whether or not it involves the use of an investigatory power under the Regulation of Investigatory Powers Act 2000 ('RIPA').</p>	<p>The Protection from Harassment Act 1997 section 3(1): "An actual or apprehended breach of section 1 may be the subject of a claim in civil proceedings by the person who is or may be the victim of the course of conduct in question."</p> <p>I apprehend that the Defendant has harassed me in various ways from 2003 continually up to the present day.</p>	<p>There have been hundreds of incidents of harassment, in many different locations in the UK, in Thailand and elsewhere, over a twelve year period.</p> <p>Please see the annexed <b>Particulars of Complaint.</b></p>
<p><input type="checkbox"/> Your communications by post or your telecommunications have been intercepted e.g. telephone tapping or interference with your mail.</p>		
<p><input type="checkbox"/> There has been entry onto or interference with your property or with your wireless telegraphy.</p>		
<p><input type="checkbox"/> Surveillance by a public authority has taken place which has resulted, or is likely to result, in private information about you being obtained.</p>		
<p><input type="checkbox"/> Surveillance concerning you has been carried out, or is being carried out, by a public authority in relation to anything taking place on any residential premises or in any private vehicle.</p>		
<p><input type="checkbox"/> Covert human intelligence has been used in relation to you, e.g. a public authority has used, or is using, a personal or other relationship for the purpose of getting information about you.</p>		
<p><input type="checkbox"/> You have been given a notice under section 49 relating to investigation of electronic data protected by encryption.</p>		
<p><input type="checkbox"/> Data has been obtained relating to a communications system.</p>		
<p><input type="checkbox"/> The carrying out of surveillance by a foreign police or customs officer (within the meaning of section 76A of RIPA).</p>		

5. ON WHAT DATE(S) DID THE CONDUCT HAPPEN AT EACH PLACE? (Please see the information leaflet)

**Many different dates, from 2003 to 2015 inclusive.**

**Please refer to the annexed Particulars of Complaint.**

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

**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 COMPLAINT?

If so, who could provide that evidence? What is that evidence likely to be?

**Yes. Plenty. There are thirteen other witnesses, in addition to myself.**

**There are also photographs and video and audio recordings.**

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

**The most recent incidents of my continual harassment occurred less than one year ago.**

**The harassment has been continual or for more than twelve years.**

**I had originally intended to pursue a harassment claim, which has a 6 year limitation period.**

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

**(1) I seek an emergency interim injunction that will curtail all harassment during proceedings.**

**(2) I seek a permanent injunction that will forbid the Defendant from harassing me further.**

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 adviser instead of me.

## Confidentiality

Your complaint 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 complaint without your permission (except for the information described in Tribunal Rule 8(2)(a) and (b) quoted in the information leaflet). If it does not have your permission to disclose details of your complaint it may not be possible for the Tribunal to investigate it properly (see the information leaflet).



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

**This said, before disclosing my complaint to MI5, I would like the Tribunal please first to rule whether or not it has *jurisdiction* to consider and to determine my complaint, drafted as it is to express a grievance about *harassment* that might otherwise have been pursued in the ordinary courts as a claim brought under The Protection From Harassment Act 1997. If the Tribunal rules preliminarily that it has the necessary jurisdiction, then I will, of course, when directed, supply more detailed particulars of the harassment, and ample supporting evidence (in the form of multiple witness statements), and shall then not only permit, but positively *encourage* the Tribunal please to disclose details of my complaint to MI5, so that MI5 might be given a fair chance to answer my complaint, to the Tribunal's satisfaction and mine.**

## Declaration

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

Signature:



Date: 14<sup>th</sup> July 2015