

Limitation Defence Anticipation

A limitation defence is unlikely to succeed. The conduct forming the basis of these claims is **continuing, concealed, formally acknowledged as wrongful, and only fully discoverable through disclosures made between 2023–2025**. The following points set out why limitation does not bar proceedings and why any attempt to run such a defence would be unsustainable.

- **1. Continuing Wrong Doctrine (Misfeasance, Data, HRA):** Police, NHS, housing and oversight bodies continue to rely on contaminated records in 2023–2025. Each new use or disclosure resets the limitation clock. The wrong is ongoing, not historic.
- **2. Date of Knowledge (Latent Damage Principles):** Core defects were concealed within institutional systems and only surfaced through late police, NHS and EEAS disclosures. The claimant’s “date of knowledge” falls well inside any applicable limitation period.
- **3. Fraud and Concealment Extend Limitation Automatically:** Under ss. 32–33 Limitation Act 1980, limitation does not run where the defendant concealed material facts or where the claim arises from fraud. Both apply: the misleading 2020–2022 records concealed the falsified 2018 entry and the defective injunction process.
- **4. Admitted Liability (27/09/2020 Arrest):** Suffolk Constabulary’s insurers admitted liability and paid compensation for the unlawful arrest. An admitted tort cannot be time-barred for the purpose of causation in subsequent litigation. The admission anchors the timeline and evidences continuing harm.
- **5. Void and Jurisdictionally Defective Orders Have No Limitation Period:** A void injunction (false hearing date, defective service, non-existent “power of arrest”) cannot become valid through lapse of time. All derivative actions — including the committal — remain open to challenge irrespective of date.
- **6. HRA Discretion (s.7(5)(b) HRA 1998):** The court must extend time where equitable. Late disclosure, contamination across agencies, and continuing violation (live tainted records) satisfy the criteria for extension.
- **7. Multi-Agency Record Contamination is a Live Issue:** PSD, PHSO, NHS and police documents show the same corrupted metadata and narrative still active in 2025. This constitutes a present breach, not a past one.
- **8. No Prejudice to Defendants:** Defendants have retained, relied on and circulated the same defective data chain for years. Having used the material continuously, they cannot argue prejudice due to delay.
- **9. Public-Interest and Human-Rights Weighting:** Courts treat allegations of institutional contamination, civil-process abuse and unlawful deprivation of liberty as substantial matters. They are highly reluctant to extinguish such claims procedurally.

Conclusion: Limitation does not defeat any head of claim. The defects were concealed, later discovered, admitted in part by the police, and remain operational within public-body databases. Time is not a barrier to litigation.

| Claim Type | Core Conduct / Examples | Primary Limitation Period | When Time Starts Running | Relevance to This Case | Notes / Defence Anticipation |
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| Unlawful Arrest / False Imprisonment | Arrest and detention without lawful power (e.g. 27/09/2020 arrest based on non-existent “power of arrest”). | Typically up to 6 years in tort (Limitation Act 1980, s.2). | From the date of arrest / release. For 27/09/2020, the core window runs to 27/09/2026. | Liability already admitted and compensated by Suffolk Constabulary’s insurers. The event is a concluded tort and a factual / legal anchor. | Limitation is largely academic here because fault is admitted. The arrest remains core evidence and a causation anchor for other claims. |
| Misfeasance in Public Office | Deliberate or reckless misuse of public power: falsified records, malicious complaints, abuse of civil process, unlawful data sharing, | 6 years (ordinary tort, Limitation Act 1980, s.2). | From the last actionable misfeasance event, not the first. Where conduct is <i>continuing</i> , time runs from when it stops. | Misfeasance events run from 2017 (seed) through 2020 (fraudulent | Because contamination and reliance are ongoing, the limitation clock is |

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| | continued reliance on known false material. | | | civil process), 2021–2022 (clinical contamination, late” must committal), into 2023–2025 (PSD / EEAS reliance). | extended. A defendant arguing “too |
| Negligence (Police, NHS, Landlord, Others) | Procedural failures, careless record-keeping, failure to correct known errors, negligent clinical reliance on contaminated data, failure to safeguard. | 6 years from date of damage (s.2), with possible extension under “date of knowledge” | Either from the date damage occurred (e.g. unlawful committal, 2022), or from when the claimant had sufficient knowledge to plead (disclosures 2023–2025). | Much of the actionable negligence only became <i>visible</i> after late disclosures. “Date of knowledge” is therefore recent. | misfeasance ended more than 6 years ago. On current facts, that is not arguable. |
| Data Protection / Privacy | Unlawful processing, disclosure, or sharing of personal data (e.g. Sharples’ cross-agency email chains; police/NHS/housing database pollution). | Generally treated as a 6-year limitation for reasonably discoverable distress-based claims in tort. | From the date of each unlawful processing event, or from when contamination, each fresh use / reliance can start a new clock. | Contaminated records remain live in 2023–2025 (EEAS/PSD etc.), so data wrongs are current, not historical. | Ongoing reliance = ongoing harm. Limitation is refreshed by each new unlawful use of tainted data. |
| Human Rights Act (HRA) Claims | Breaches of Articles 5, 6, 8 (and potentially 3): unlawful detention, unfair process, private-life interference, clinical harm. | 1 year from “the date on which the act complained of took place” (HRA s.7(5)), <i>subject to</i> court’s power to extend where equitable. | For a single, discrete act, time runs from that act, time runs from that act. For a <i>continuing violation</i> (live place) contaminated records, ongoing reliance), time may run from the last act / disclosure / reliance. | Detention and committal are in the past, but the contaminated record and its consequences are ongoing, and key factual material only emerged via late disclosure. | Courts can, and do, extend time where: there was late disclosure, concealment, or continuing violation. A defendant raising limitation faces the argument that this is a live, systemic breach, not a closed event. |
| Malicious Prosecution / Abuse of Process | Using criminal or civil process for an improper purpose: retaliatory injunction, committal built on void process, | Typically treated as 6 years in tort. | From the end of the prosecution / process complained of (e.g. conclusion of the | Committal and imprisonment completed in 2022–2023. | A limitation argument here is weak; process Limitation, on concluded |

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| | weaponised harassment narrative. | | committal/imprisonment cycle). | a 6-year basis, would run well into 2028–2029. | relatively recently. Misfeasance logic can also be layered over the same facts. |
| Breach of Statutory Duty / Equality Act | Failures under specific statutes (e.g. Equality Act harassment/discrimination, safeguarding duties, or other statutory regimes engaged by the conduct). | Often 6 years for breach of statutory duty in tort, but some regimes (especially employment) may impose shorter periods. | From the date the statutory breach occurred, or last in a continuing course of conduct. | Where Equality Act or similar issues arise, they often track the same timelines as misfeasance / negligence / data misuse. | Any Equality Act angle must be checked against specific procedural rules, but general civil limitation remains generous relative to your chronology. |
| Void / Jurisdictionally Defective Orders | Injunction or committal order made without jurisdiction: false hearing date, invalid service, non-existent power of arrest, perjured or fundamentally misleading evidence to the court. | No true limitation period on setting aside a void order. A void act is void ab initio. | The court can set aside a void order at any time, once the defect is shown (e.g. on new evidence or injunction as corrected understanding). | Your own material frames the (e.g. on new evidence or injunction as corrected understanding). the “jurisdictional choke-point”; if it is void, everything built on it (arrests, committal, data flow) is tainted. | A defendant may argue delay / prejudice, but cannot convert a void act into a valid one by the passage of time. This is strategically central: it underpins all derivative claims. |