

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
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, committal), into 2023–2025 (PSD / EEAS reliance).	extended. A defendant arguing “too late” must show misfeasance ended more than 6 years ago. On current facts, that is not arguable.
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” principles.	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.	A limitation defence is weakened by late disclosure and concealed defects. The more concealment / opacity, the stronger the argument for a later start date.
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 distress-based claims in tort.	From the date of each unlawful processing event, or from when reasonably discoverable. For <i>ongoing</i> 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 1998, s.7(5)), <i>subject</i> to court’s power to extend where equitable.	For a single, discrete act, time runs from that act. For a <i>continuing violation</i> (live 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. Limitation, on	A limitation argument here is weak; process 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 corrected understanding).	Your own material frames the injunction as 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.