Machine Gun Case - Maurice J Kirk BVSc - www.kirkflyingvet.com - 0790 793 7953

- **1. 1977:** Five decommissioned WW1 Lewis machine guns, in Cornwall, were designated for various replica period aircraft including the DH2. Several are to be found in museums around the UK.
- **2. 1997:** MJK purchased the DH2 and 'gun' from a private collection, in Dorset, with its log books and other CAA paperwork identifying the 'gun' as an integral part of the fuselage.
- **3. 1998:** The 1968 Fire Arms Act was amended meaning that if the 'gun' remained as it had first been decommissioned, it was exempt from the new regulations. These included far more mutilation to make the weapon 'safe'. This became the critical argument in the later trial.
- **4. 2000:** The DH2 was flown at the Farnborough Air Show by personal invitation, but on the return flight to Wales suffered an emergency due to a possible 'bird strike' breaking the propellor.
- 5. 2006: The DH2 was moved to RAF Lyneham, Wiltshire, for further repair and display.
- **6. 2008:** The DH2 was handed out, by the RAF, to a Hampshire civilian for further repair and sold, by MJK, to another display pilot who took the aircraft to Lincolnshire for air shows.
- 7. 1st June 2009: South Wales Police convened a meeting to refer MJK to MAPPA surveillance.
- **8. 8**th **June:** MAPPA meeting categorised MJK as Level 3 (top 5% most dangerous) as 'being in possession of the machine gun and ammunition' based, the court was told, on photographs and sale adverts, all dating back to the year before and some as far back as 2001!
- **9. 18**th **June:** MJK obtained entry to the offices of the Chief Constable, at Bridgend HQ, for the purposes of arresting her for falsifying the 25th Feb 09 sworn affidavit in the ongoing civil damages claim. Also, the need for 'mutual exchange' of witness statements, on a court deadline of 19th June 4pm, meant MJK took them to her office. Armed police surrounded the building.
- **10. 19**th **June:** Dolmans, solicitors for the police, also refused to 'exchange' and in turn made statement of complaint of 'threat to commit criminal damage' when MJK suggested they be delivered through their window, as the court order had only one hour left to run.
- **11. 21**st **June:** A sizable armed police raid on MJK's home, with helicopter, was aborted only because, the court heard, MJK was at home and could only be arrested 'when away from it'!
- **12. 22**nd **June:** Arrested MJK in his village for 'possession of m/g, ammo and threats of damage'. New owner was asked by CAA to deposit 'gun' with gun dealer where Welsh police seized it.
- 13. 23rd June: Charged only with possession of machine gun and its resale.
- 14. 24th June: Barry Magistrates gave unconditional bail which was immediately appealed against.
- **15. 25**th **June:** Remanded in custody by Cardiff Crown Court despite no evidence of 'likely to abscond', 're offend' or would 'commit a crime'. Up until the commencement of trial, 10 judges refused bail with both CPS and judges altering their reasons as each point was shot down.
- 16. 25th January 2010: Before and during trial MJK was refused the relevant disclosure.
- **17. 9**th **February:** After cross examination was seriously restricted, no defence evidence was given.
- **18.** Jury informed MJK their verdict was concluded after the first day of evidence and asked why was the purchaser of the 'gun' not also in the dock? He and police had 'modified it' and the jury believed, correctly, that the police had made attempts to withhold that fact from them.
- **19. April.** The trial judge refused costs except to a 3rd party, irrelevant to the proceedings. Failed disclosure by the 25th Feb 09 false affidavit meant trouble; so police concocted this gun story and falsified the medical evidence to obtain an Imprisonment for Public Protection, without a trial.
- **20. DAMAGES** are now sought for: malicious prosecution, false imprisonment, fraudulent sectioning and delaying civil actions for damages.