

Summary of Evidence

R v KIRK, MAURICE JOHN

The circumstances of this case are as follows -

This case relates to the investigation into the unlawful possession of a Section 5 Firearm, this being a 'Lewis' machine gun and ammunition, along with ammunition both of which are prohibited by section 5 Firearms Act 1968. The suspect is Maurice John KIRK 12/03/45.

In order to put this matter in context it is important to realise that Maurice Kirk has numerous previous convictions and has a history of conflict and disputes with South Wales Police and other Police forces across the UK over several years. He is what could be deemed as anti establishment and does not appear to recognise any authority within the UK, including Police, Crown Prosecution Service and Court systems. He is currently in civil litigation against South Wales Police where is making over 70 separate claims against the Chief Constable Ms Wilding which is due to be heard in January 2010..

Mr Kirk has a website WWW.KIRKFLYINGVET.COM where he has posted a request for personal information offering a £10,000 reward leading to the prosecution of Barbara Wilding, Chief Constable of South Wales Police and several other persons including CPS representatives, current and retired Police Officers also requesting details of their home addresses, vehicle details, families and schools attended, friends and acquaintances.

In August 2008, KIRK offered for sale a variety of items on this site, including aeroplanes, aeroplane parts, motor vehicles, houses and most relevant to this enquiry a 'Lewis' machine gun and spare ammunition for £4000.

On 2nd April 2009 Kirk has posted a photograph of himself holding what is believed to be the above machine gun.

The suspect has re-posted the same photograph of himself holding the "Lewis" machine gun on his web-site on 13th May 2009. This is accompanied by the words "Dressed for Cardiff Court and a level playing field".

On 13th May 2009 there is a second photograph of him holding the machine gun. This is accompanied by the words "The Final Solution?"

In addition to the above photographs the suspect has also posted video clips of himself onto the web-site "youtube.co.uk".

The videos themselves give a greater insight into the demeanour of Mr KIRK, providing primary evidence of him in possession of this weapon whilst on British soil. The video clips can be broken down as follows;

Video 1 - (CAA demand flight test.flv)

The clip opens with the suspect sitting on the floor with his back to the rear of a red Ford Escort Index 8 42 XK 22. Propped up against the Escort is what appears to be a 303 calibre First World War "Lewis" machine gun. This weapon has a drum magazine on top of the main body and has traces of rust near the barrel and on its working parts. It would seem that the video is filmed the day before he re-takes his pilot's licence as he states that he has been up all night studying for the test. He appears tired, unkempt and complains of pain from arthritis. He goes onto say how he landed his plane too close to the home ranch of President George W Bush, however there was a investigation with the civil aviation authority who revoked his pilots licences. He says he eventually, after spending time in a psychiatric hospital in the USA persuaded the CAA that he had not committed any offences. He states he has concerns over re-sitting the test and that he has been flying for over 40 years. He continues to say how tired he is and how his head hurts so much from studying, he then proceeds to pick up the machine gun and says "Well, She won't be with me tomorrow. I hope it won't be appropriate". The film then ends.

Video 2 - (Royal College of Veterinary Surgeons.flv)

This video opens with KIRK standing in what is believed to be the grounds of his house at St Donats, Vale of Glamorgan in South Wales, holding what is believed to be the same "Lewis" machine gun in his right hand, the

barrel facing towards the ground. KIRK seems extremely irritated and physically tired. His appearance is dishevelled and he seems confused. He repeats the story above about flying onto the president's land. He discloses that the CAA notified Gatwick that he had been involved in criminal activity and that they believe he is a

danger to members of the public. The FAA have corrected that however the CAA have made him take an examination for re-testing his pilots licence. He states that when taking the test he will have to be polite and charming, which appears to disagree with him. When he talks about how he must pass the test or he will never fly again, this appears to bother him. KIRK is seen on the video to raise the gun with his right hand place it across his chest, gripping the barrel with his left hand. KIRK's has adopted bladed stance, slightly rocking from side to side and still talking with a slightly slurred speech with his head bowed slightly downwards.

Video3 - Lost passport03 08.flv

This video opens as KIRK is stood on a road in front of his red convertible escort and there is a trailer stationary in front of his Escort which appears to contain aeroplane parts (i.e. wings). He begins by complaining about British beurocracy and talks in a slurred manner with his head bowed downwards. He explains on video how he manage to get through customs at Portsmouth from France without a current passport. He then elaborates stating that it wasn't long ago that he took live ammunition and a large knife in his hand luggage into Florida and out again with out being stopped by Aviation Authorities.

Extensive checks have been carried out with the National Firearms management system, into whether KIRK holds a legitimate license or certificate to possess a firearm. There is no record of Maurice John Kirk ever having held or currently holding a firearms certificate. There are no historical reports in existence relating to Mr KIRK ever having applied or being granted any form of firearms certificate.

A copy of Mr KIRKS web page where places items for sale is attached and it can be seen that item 9 shows for sale a - lewis machine gun with spare ammo circa 1916 £4000'.

The video clips outlined above are also available for the reviewing lawyer to examine. It can be clearly seen that Mr. KIRK is in possession of a firearm. I have caused the force armourer within South Wales Police to view these clips and he has stated that to the best of his knowledge and with the limited information available he believes the weapon to be a 'Lewis' machine gun.

It is not known whether this weapon has been deactivated at any time and to that end enquiries have been made at both 'Proof Houses' in England. Unfortunatley without the serial number of the weapon, the proof houses are not in a position to confirm this fact.

Extensive enquiries have been made within the firearms licensing department of South Wales Police where a National Database is held in respect of firearms certificates (National Firearms Management System). It has been confirmed that Mr. KIRK is not a firearms certificate holder. A statement is attached from Sarah WILLIAMS who is the Firearms Licensing Manager within South Wales Police. Ms WILLIAMS will confirm that Mr. KIRKS wife however is in possession of a firearms certificate that relates to the lawful possession of 2 shotguns and 3 humane killers held for the purpose of her employment as a veterinary surgeon. The 'Lewis' machine gun is not recorded on any documentation that relates to Mrs. KIRK.

From a covert enquiry it can be confirmed that Mr. KIRK has himself stated that the weapon was 'live', he did not own it legally and he has now sold it.

At 1305hrs on Saturday 30th May 2009 a Covert Police Officer identified only as 'Foxy' made a telephone call to mobile telephone number 07966 523940, the mobile telephone with this number was seized from KIRK whilst he was in custody. The purpose of this telephone call was to make enquiries regarding a Lewis Machine Gun. 'Foxy' stated that she spoke to a person who identified himself as Mr KIRK and that she told told him she was interested in purchasing the gun if it was still for sale. After a general conversation in relation to where she saw the gun advertised he informed her that the gun was no longer with him. She explained to him that she was disappointed as she had previously owned a similar which had been deactivated, to which KIRK replied "Oh I see, no no this one worked". The call was then ended.

A check on Mr. KIRKS web page this very morning still reflects the fact that the weapon and ammunition remain for sale.

Approximately 0815hrs on 22nd June 2009 KIRK was arrested in St Donats, Llantwit Major, Vale of Gamorgan for Possession of a Prohibited Weapon and Threats to Cause Criminal Damage and conveyed to Port Talbot Police Station where he remains in custody. He has been interviewed throughout this time and has remained uncooperative and obstructive.

As a result of speaking to his wife and obtaining a statement from her (although she has refused to sign the statement), she confirmed that the gun and the aircraft were bought by KIRK and were bought together and

subsequently sold to a filming company last year but did not know when and did not know what the name of the company.

Enquiries with the Civil Aviation Authority revealed that Ronald Henry COOPER residing in the Lincoln area was the purchaser of the aircraft. Contact was made with Mr COOPER by the Civil Aviation Authority who confirmed that he was still in the possession of the aircraft and when he purchased the aircraft from KIRK the gun was attached to the front of it.

Mr COOPER immediately took the gun to a reputable firearms dealer in the Nottinghamshire area - Mr Michael SCOTT who examined the gun (statement obtained).

Officers from Nottinghamshire Police were instructed to attend Mr SCOTT's premises and seize the gun, after which, they met with officers from South Wales Police and handed them the exhibit. Statement from the Nottinghamshire Police have been obtained.

The gun has been examined at 0830hrs on 23rd June 2009 by Andrew HUXTABLE, a National Ballistics Intelligence Service Armourer. The examination took place at the Scientific Support Unit, Police Headquarters, Bridgend. He has concluded that the gun is a lethal barrelled weapon contrary to Section 5 (1)(a) of the Firearms Act 1968 (his statement is attached).

Throughout KIRK's time in custody he was interviewed on several occasions and remained silent throughout. During the last interview he stated that he was told by someone in RAF St Lytham that the Lewis machine gun had been deactivated. Throughout the interviews he stated that he had previously made a prepared statement which he did not produce to the interviewing officers.

On the evening of Tuesday 23rd June 2009 KIRK was formally charged with the offences for which he appears before the court. After caution he replied " ***think it's ridiculous***".