



Thursday, 28 September 2000

CPS South Wales Area
Cardiff Office
19th, 20th, 21st Floor
Capital Tower
Greyfriars Road
Cardiff CF10 3PL

Ardal CPS De Cymru
Swyddfa Caerdydd
Llawr 19, 20 & 21
Tŷr y Ddinas
Heol y Brodyr Llywdion
Caerdydd CF10 3PL

Switchboard/Switsfurdd: 029 2080 3800
Facsimile/Ffacs: 029 2080 3840
DX No/Rhif DX: 33056 Cardiff/Caerdydd

FAO: File Preparation Unit
'E' Division
Gladstone Road
BARRY
CF63 1TD

Direct Line/Linell Union:

Our Reference/Ein Cyfeirnod:

APT/TPH/00015149

Your Reference/Eich Cyfeirnod:

62/EA/3190

Dear Sirs,

RE: MAURICE JOHN KIRK
BARRY MAGISTRATES COURT: 25TH OCTOBER 2000
OIC: PC 3444 KIHLEBERG - BARRY POLICE STATION

I write to confirm that the case against the above named Defendant stands adjourned for a pre-trial review.

I have carefully reviewed the evidence provided in the statements of PC Kihlberg and PC Holmes. I am satisfied that there is sufficient evidence upon which to proceed with the offence contrary to Section 5 Public Order Act 1986.

In order for the case to proceed, I must also be satisfied that it would be in the public interest to pursue the case. After careful consideration, I have formed the view that, on balance, the public interest would be better served by a discontinuance of this particular case.

The Defendant is well known to the Police and the Courts as a result of his frequent offending. He has numerous convictions for various offences involving violence, public disorder, road traffic and air traffic control laws. Each of his cases is blown up out of all proportion by the Defendant who claims on each occasion to be the victim of persecution by the authorities responsible for preserving law and order. It appears obvious that the Defendant actively seeks conflict with authority, in this case the Police, in order to provide himself with a forum (the Criminal Courts) from which to rant at length on the inequity of his treatment.

The fact that the Courts have, to my knowledge, always convicted the Defendant in the past shows plainly that his allegations of Police harassment are untrue and have never been accepted.

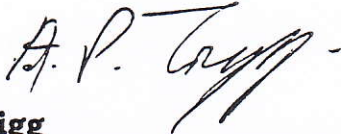
I believe that the present case, if proceeded with, would result in the same outcome. However, that outcome would be achieved only after a significant use of resources in terms of case preparation and man-hours expended at Court.

The sentence which the Court could impose is limited to a fine and a conviction itself would add little to the Defendant's list of convictions.

I appreciate that the Police Officers involved should not have to tolerate the sort of abuse they suffered in this case and I am certainly not advising that Mr Kirk should be allowed to abuse Police Officers with impunity. Each case should be looked at in light of its own particular facts and circumstances.

I advise that in this particular case it would not be in the public interest to proceed.

Yours faithfully, (



A.P Trigg
ACTING PROSECUTION TEAM LEADER