

MAPPA Executive Summary
M J Kirk

MAPPA Form E – MAPP Meeting Minutes Executive Summary

Notice

This MAPP Meeting Minutes Executive Summary will not contain details of any individual agency risk assessment or Risk Management Plan. Where a third party wishes to receive a copy of such a document/report they will need to apply directly to the individual agency.

1: Offender Information

ViSOR reference: 09/0189441
Family name: KIRK
First name: Maurice
Date of birth: 12/03/1945
Gender: Male
Ethnicity: White: British
PNC number: 95/92486Y

2: Referring Agency and Reason for Referral to a MAPP Meeting

Referral was by South Wales Police following a recommendation from the police Independent Advisory Group. This was taken to the routine MAPPA Screening meeting held in the Vale of Glamorgan and this meeting agreed that a referral to level 3 be made.

Referral information:

Maurice John Kirk has a long history with law enforcement agencies with a number of criminal convictions together with a large number of civil actions and complaints being instigated. At present Kirk has just over 100 civil actions pending against South Wales Police focused on a variety of individuals.

Kirk is renowned globally for his exploits in a plane in that he crashed his plane in the Atlantic several years ago and was rescued by the US coastguard. To thank the nation he attempted to fly his plane into the ranch of President George Bush. He has been involved in a similar exploit when he wanted to serve a letter on HRH Prince of Wales at Highgrove but his attempts were frustrated.

In February 2009 Legal Services, the Courts and Dolmans, the solicitors representing South Wales Police, decided that it would be more appropriate to request Chief Constable Wilding to swear an affidavit re the civil actions. Kirk took exception to this in that having been served with the affidavit he stated that the statements made by the Chief Constable were false and that he wished to arrest her. Kirk attended police headquarters and attempted to enter to make an arrest. This was unsuccessful and he was taken to Bridgend Police Station where he made a complaint against the officers who spoke with him and the Chief Constable.

A series of protective measures were then instigated surrounding the Chief Constable with close protection being provided for all public engagements.

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In March 2009 Kirk attended Cardiff County Court where he reiterated to the Judge that he would be arresting the Chief Constable of South Wales Police.

Further intelligence was gathered regarding Kirk from his open source website, "Flying Vets". On this website were a number of highly concerning issues:

- 1. A picture of South Wales Police Authority members stating, "well I know where a few of these live."*
- 2. A picture of Maurice Kirk holding a large machine gun with a magazine attached offering this for sale for £4000.00 with live ammunition. This was posted in August 2008 and removed shortly afterwards.*
- 3. A £10000.00 reward is being offered for information relating to the whereabouts lifestyle, registration numbers, family, friends, associates, clubs, schools etc of 25 individuals. Those listed begin with Chief Constable Barbara Wilding followed by a list of serving and retired police officers and staff, members of the community other law enforcement officials. This was posted in April 2009*
- 4. Kirk also details his anti establishment views together with his attendance at G8/G20.*

This intelligence has been further examined and more recently the picture of Kirk brandishing the firearm has been placed on the site three times with comments to the effect, " This will level the playing field at County Court," and " The final solution."

South Wales Police are obviously treating this matter very seriously with two key objectives:

- To protect members of the community, police staff and witnesses.*
- To investigate criminal activity.*

There are three aspects to this as it proceeds; the criminal investigation, civil process and the risk management. A meeting was held with IAG members on 1st June 2009 where the circumstances of the investigation were relayed to them, one of their recommendations was for Maurice Kirk to be referred for consideration for MAPPA, and the rationale for this was:

- 1. Kirk has been assessed previously for mental health issues, but at this stage is only being addressed as vulnerable person due to his unpredictable nature.*
- 2. Kirk has a number of previous convictions some for assault and assault police and therefore has the potential to cause serious harm.*
- 3. Kirk is not only pictured with a section 1 firearm, for sale and making threats but also has access to other firearms lawfully held by his wife a vet. Two shotguns and three humane killing firearms.*
- 4. Kirk has already made an attempt to arrest Chief Constable Wilding.*

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5. *South Wales Police suspect that as the civil case draws closer Kirk's behaviour surrounding police/ public witnesses will become more unpredictable.*
6. *At the point when positive action is taken in relation to Kirk and dependent on the outcome the threat posed to all concerned will be significantly aggravated.*

Date of referral: 8/06/2009 (Initial meeting)
(Venue Barry Police Station)

Date of meeting: 9/07/2009 (2nd MAPPA meeting)
20/08/2009 (3rd MAPPA meeting)
22/10/2009 (4th MAPPA meeting)
23/11/2009 (5th MAPPA meeting)
17/12/2009 (Final MAPPA meeting)

Venues of meetings: Initial – Barry Police Station
All subsequent meetings at Caswell Clinic

MAPPA Category: 3

Level of meetings: 3

3. Summary of Meetings

Initial MAPPP Meeting: 8/06/2009

Information was shared between agencies (South Wales Police, South Wales Probation Trust, Community and Forensic Mental Health and Social Services) Information from the psychiatrist who met Mr Kirk following referral from his General Practitioner was also provided to the meeting via forensic mental health staff) The information resulting from the initial MAPP meeting was subsequently shared with Mr Kirk's psychiatrist.

The machine gun referred to in the initial referral was identified as a Lewis Gun

The meeting agreed that Mr Kirk posed a risk to the following:

- Three individuals threatened with direct action to arrest them
- 25 others (police staff both serving and retired, court staff, police authority members) have been named and rewards offered for information about friends and family – it is not known exactly how many are in this group
- 109 + named witnesses at the legal matters due for resolution at Cardiff in January 2010
- MK himself and the wider community due to the perceived firearms risk and the presence of armed protection officers at official events.

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- The vulnerability of the wife is unknown but the daughter (Genevieve 11) and a younger son are clearly believed by the mother to be disturbed by MK
- The staff employed at police stations should MK try to gain entry to see or arrest police officers.
- Staff of the solicitors responsible for contesting his legal actions against the police.
- Staff at police HQ where he refused to leave for 20 minutes, when last attempting to gain entry to arrest the Chief Constable.
- Court Staff in both the County Court and Royal Courts of Justice
- General public if firearms are used
- Any member of the public
- The reputation of the South Wales Police and the confidence of the public.

The initial risk assessment summary was that Mr Kirk 'poses a risk of serious harm to numerous individuals and the likelihood of this will increase at times of high stress but will be greatest when the legal avenues available to him are exhausted. Direct police action to investigate firearms concerns will also raise the risk to identified victims.'

The meeting agreed that previous relevant convictions, combined with Mr Kirk's recent behaviour fulfilled the requirements for management as a MAPPA Category 3 case.

Disclosure to potential victims, Mr Kirk and his family and relevant professionals was discussed and agreed as was referral to the Ministry of Justice Public Protection Unit as a Critical Public Protection Case.

MAPP Meeting of 9/07/2009

Subsequent to the initial meeting, Mr Kirk gained access to SWP Headquarters and asked to see the Chief Constable.

On 30/6/09 Mr Kirk was arrested for the possession of a Section 5 firearm. He was subsequently remanded in custody.

MAPP Meeting of 20/08/2009

Mr Kirk's shotgun certificate had been rescinded by the ACC.

Firearms had been seized from Mr Kirk's home (some lawfully held). The Lewis gun, after being sold on by Mr Kirk, had been recovered by SWP and was capable of being fired.

Mr Kirk had appeared in court and represented himself. Psychiatric assessment was ordered by the court and subsequently the Judge ordered a 28 day Section 25 Mental Health Act order for Mr Kirk to be assessed at Caswell Clinic

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MAPP Meeting of 22/10/2009

Mental Health assessment completed and submitted to the court. Further results of tests and opinions awaited.

It is expected that Mr Kirk will return to the prison system where further assessment will be undertaken.

Threats have been made by supporters of Mr Kirk towards Caswell Clinic staff.

Caswell will continue to offer support to Mr Kirk when he returns to the community.

Mr Kirk has disclosed that he has made a living by taking on litigation and exposing technical flaws. He has stated that he cannot afford to lose the current case.

A new risk has been recognised to the patients and staff of Caswell Clinic due to the disclosure of information by Mr Kirk and / or his supporters.

MAPP Meeting of 23/11/2009

Mr Kirk has not co-operated with further assessment and court case continues.

Mr Kirk to be informed by HMP Cardiff staff, confirming previous disclosure, of MAPPA status.

MAPP Meeting of 17/12/09

Outstanding legal actions clarified.

Mr Kirk had spoken to psychiatrist, indicated understanding and approval of the MAPPA process and agreed a further meeting if he was still in prison.

Mr Kirk had been assessed as fit to plead.

Meeting agreed that Mr Kirk no longer required active multi agency conferencing and was therefore to be de-registered from MAPPA as not fitting the criteria for MAPPA Category 3.

4. Outline of MAPPA Risk Management Plan – Initial and Revised

Initial risk Management Plan:

- Protect highest risk victims
- Protect victims in general
- Manage risk posed at Royal Courts of Justice
- Make enquiries with Social Services Department Children's Services
- Create Mr Kirk as a Restricted ViSOR MAPPA nominal
- Confirm status of Mrs Kirk's firearms permits
- Discuss risk management plan with psychiatrist
- Refer Mr Kirk as a CPPC
- Arrange review MAPP meeting at convenience of Mr Kirk's psychiatrist

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Risk Management Plan of 9/07/2009

- Confirm age and whereabouts of Mr Kirk's children
- Enquire with major crime team whether they have considered an application to the CAA for the revocation of Mr Kirk's licence to fly.
- Undertake mental health assessment of Mr Kirk at HMP Cardiff
- Invite Social Services Department to review meeting if appropriate.

Risk Management Plan of 20/08/2009

- Supply intelligence pack to mental health social worker
- Invite Social Services Department to next review
- Notify clinical team of all criminal and civil court dates arranged in respect of Mr Kirk
- Review transport arrangements from clinic to court
- Monitor visits to Mr Kirk
- ~~Address media issues surrounding court dates~~
- Review Community Impact Assessment
- Address security issues at court appearances
- Continue mental health assessment

Risk Management Plan of 22/10/2009

- Check with SWP Major Crime Incident Team whether the threat associated with Mr Kirks friends has been investigated
- Advise CPS that they need to prepare to oppose any application for bail made by Mr Kirk in order to allow the further assessment to be undertaken.
- ~~Notify Social Services Department of possibility of bail.~~
- Check 'doctored' peer review document placed on Mr Kirk's blog to identify what specific changes had been made and what this may suggest.
- Restore SWP Protection Plan for all potential victims if Mr Kirk is bailed.

Risk Management Plan of 23/11/2009

- Identify what stage the civil actions undertaken by MJK are at in the courts, the possible outcomes and when these decisions are are likely to be made. (Both civil actions against police and against RCVS)
- Confirm with MCIT and courts the timescales for future hearings of the criminal prosecution, matters charged and possible disposals
- Share protection plan information with potential victim(s).
- Invite representation from the HMP Cardiff at the next meeting.
- Set appropriate date for next meeting. (17/12/09 4pm provisional if court proceedings and / or remand is uncertain)

Risk Management Plan of 17/12/09.

- ~~Refer to Social Services in the event of Mr Kirk being released or bailed.~~
- Take advice on whether Mr Kirk's litigation should / could be treated as vexatious.


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5. Details of MAPP Meeting Chair

All meetings except that of 23/11/2009:

Name: Chief Inspector J Dave
Area: South Wales Police
Agency address: Headquarters,
Cowbridge Road,
Bridgend. CF31 3SU
Telephone number: 01656 655555
Fax number: 01656 303464
Email address: Not Available

Signed


..... 24.8.10.....

MAPPA Meeting of 23/11/2009:

Name: G Brunt, Assistant Chief Officer
Area: South Wales Probation Trust
Agency address: Headquarters,
Tremains Road,
Bridgend. CF31 1TZ
Telephone number: 01656 674747
Fax number:
Email address: Not available

(Granville Brunt retired on 31.3.10 and is no longer available)
Wales Probation Trust can be contacted at the above address and the
relevant section of the Executive Summary has been approved by:

A J Richards, ACO


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Signed on behalf of Wales Probation Trust

Date of completion: 24/08/2010.