

Criminal Court of Appeal

Criminal Court of Appeal ref: **201203241 D**

Royal Courts of Justice

Court ref: CO/3970/2012 &CO/6357/2012

29th July

Dear Case Worker,

Following my enclosed 26th July 2012 letters to both the CPS and Administrative Court, Cardiff, both Magistrate and CPS offices have now informed me that there is no record of any draft copies in the making of the final 1st December 11 Restraining Order.

Clearly this is untrue as I saw one, partially hand written, in the magistrates' cell, shown for my approval and another version handed to me in May Crown Court following the order from the trial judge to recover the part hand written one from the Merthyr CPS office. This I heard admitted to be in existence by the CPS barrister. I also disclose the one given to me in court.

The police now refuse to take statements from the four eye witnesses in the gallery or myself, relating to the creation of a partially hand written one, in front of them or the other version seen being hand to me in the Dock.

I now have six witnesses in court who heard District Judge Charles direct that the (final) restraining order be served on me before I left my release. This is always done, I am told, at time of release which was well past 5pm as I was refusing to leave my cell until I received something in writing as to what had been concluded in court. Barker, I am told, left the building hours before.

That lot, coupled with the fact that the original MG 11 witness statements totally contradict from both Michael Williams, clerk of court and Barker, the custody manager, I being not allowed to properly explore in cross examination because I was denied any of my legal papers in court, coupled with no cctv or written record of any personal service of any variations or of a restraining order I have to wonder just how this case ever came before a court in the first place.

Mr Justice Beatson's 24th July 12 directions, in my Judicial Review Application, in identical circumstances, during the March Harassment conviction appeal, said there was no challenge, in law, for my being refused the right to cross examine, call witnesses or have my legal papers in court.

Is that the current view of the Criminal Court of Appeal?

Maurice J Kirk BVSc

- Enclosed:
1. 19th June 12 Meirion Bowen MG11 witness statement
  2. My 26th July 12 letter to CPS
  3. My 26th July 12 letter to Administrative Court
  4. Restraining Order draft (CPS disclosed in Crown Court hearing)