

Continuation of tape recorded interview of MORRIS JOHN KIRK

Time	Person Speaking	Text
		Did you catch that. You'll have to address that subject to the person whose name it's registered in.
20.49	DC GRIFFITHS	But it's not registered to anybody, the last person who had it told the DVLC they were no longer the keeper. (DC GRIFFITHS error.)
20.50	KIRK	Who was that?
20.55	DC GRIFFITHS	I don't know.
20.56	KIRK	What do you mean, how do you know that?
20.57	DC GRIFFITHS	Because I've been told.
21.01	KIRK	Who would have told you that? You're getting yourself into a problem here. Who told you that - we're being tape recorded - I warn you I'll have you. You have been given what information and from whom.
		PC THOMAS interrupts, as DC GRIFFITHS is under a misapprehension that the information had been gleaned from Britain's Police National Computer, whereas the Officer had made enquiries with Guernsey Police during the afternoon and had informed DC GRIFFITHS of the result.
21.27	DC GRIFFITHS	I beg your pardon.
21.28	KIRK	Right, so you've had an enquiry at Guernsey, which is contrary to what you were saying earlier - at what date did you

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		<p>have that enquiry? Do you mean a date prior to today because if you admit to that you're going to get into even more trouble with me and my Solicitors later, because you had information prior to my arrest from previous enquiries - from your National Computer that not only was I the owner, the Guernsey Police gave you full details of how I acquired it, etc., etc., etc. Am I going to be entitled to a copy of this tape when I leave?</p>
22.03	DC GRIFFITHS	I will give you a form explaining what will happen to the tapes.
22.05	KIRK	Will I be allowed to have a copy?
22.06	DC GRIFFITHS	Of course you will - If you speak to Mr WILLIAMS (Solicitor)
22.08	KIRK	No, I'm not speaking to Mr WILLIAMS, he's just a Duty Solicitor and very kindly sitting in. I will have a copy and it won't be doctored by you lot.
		After Mr KIRK is satisfied as to procedure as regards the tapes.
		Right, carry on with your questions.
22.26	KIRK	

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Tape counter times	Person Speaking	Text
22.28	DC GRIFFITHS	First of all that was my mistake.
22.30	KIRK	What mistake? What was your mistake? - I don't wish to be confused, I am the defendant, I have rights now you've made a mistake. Kindly explain to me what your mistake was.
22.41	DC GRIFFITHS	About the Police National Computer.
22.43	KIRK	Meaning what?
22.44		I was under the impression that the previous owner was shown on the Police National Computer. I was obviously wrong.
22.52	KIRK	Right, and what did the National Computer give you?
22.55	3052	There's no trace of the index of your motor cycle on the Police National Computer, when I checked your motor cycle initially at the scene I got "Not Trace". That further aroused my suspicions when I initially saw your motor cycle parked outside the Surgery.
23.13	KIRK	Yes but that bottom line is, your colleague said that the previous owner did not notify somebody as to who the new owner was. I've asked who was that previous owner and you two know who it is because you've got that information.

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23.20	3052	And I'm going to give it to you if you let me speak to you. Since coming to the Police Station I've made enquiries. When I established it was a Guernsey registration number, which I did by contacting the Stolen Vehicle Squad.
23.35	KIRK	You are not advised to allow him to take over the questioning (to DC GRIFFITHS about PC THOMAS). I warn you.
23.42	DC GRIFFITHS	Mr KIRK, hang on a second.
23.44	KIRK	If you're in charge and you're happy - fine - could you please answer my question?
23.50	DC GRIFFITHS	Mr KIRK listen.
23.51	KIRK	No, I've come here to get information not to give you information.
23.54	DC GRIFFITHS	This is getting a little bit out of hand.
23.56	KIRK	Whose name and address did you have on the computer - whichever computer you're referring to that was the previous owner of that bike.
24.06	3052	I've got details here in front of me.
24.07	KIRK	Can you read them out?
24.10	3052	I'm endeavouring to give you these

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Tape counter times	Person Speaking	Text
24.37	KIRK	<p>details but you're engaging yourself in a pointless argument. I'm trying to give you these details. If you'll be patient with us, as we have been patient with you, we'll resolve this matter much quicker. OK? The previous details I've got are of Maxinne FANSHAW of Courtes les Cadner, St. Martin's, Jersey.</p> <p>Could you please give that to my Duty Solicitor who's present at this hearing, so he can make a copy of what you've got written there.</p> <p>Mr WILLIAMS confirms he has the details. The address is spelt for Mr WILLIAMS' benefit.</p>
25.20	KIRK	The date of the transfer was when?
25.23	3052	<p>The last date that we have is the date the tax expired, which was December '88 and the other date we have is when it was first registered, which was the 2nd January 1985.</p>
25.44	DC GRIFFITHS	Do you accept Mr KIRK that
25.48	KIRK	<p>I can accept that you knew all along because you had this information before I even reached the Police Station, before I was even arrested. You had this information</p>

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26.06	DC GRIFFITHS	this Officer has now admitted it on this tape recording and you have been detaining me under false pretences since two o'clock this afternoon.
26.08	KIRK	I am injured, yes.
26.06	KIRK	PC THOMAS explains that as a result of struggling with Mr KIRK, he has an injury to his elbow and tenderness to his knee and lower back.
26.31	3052	Have you made an action for me assaulting me?
26.33	KIRK	I intend to charge you with assaulting me.
26.55	DC GRIFFITHS	Yes, well several people in the road heard you say that I had not assaulted you. Remember the people who, in the road, asked you? Do you remember? I was in a Police car with another prisoner and I want his name and address because he may have heard those questions to you as well.
		As you can accept Mr KIRK, this is not a Court of Law, what I'm doing is, in order to be fair to you, I'm telling you know what evidence there is. Do you accept that? <i>I'm just</i>

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27.09	KIRK	<p>trying to be totally fair.</p> <p>How's it that you can interview me prior to charges? When you give me the pretext in front of my Duty Solicitor that I'm here to establish the ownership of a motor bike and now all you want to do is to have me for assault on Police, because that's far more juicy and gets you more brownie points. That's what it's all about isn't it? Anything to provoke me so that you can get me for assault or more serious or more grievous accusations. That's what this is all about isn't it?</p>
27.43	DC GRIFFITHS	<p>I can assure you Mr KIRK that I'm the night Detective Constable, it's like World War Three on the Ely sub-division at the moment. I'd rather not be here discussing this with you, I'd rather be out there with other Officers.</p>
28.00	KIRK	<p>As a tax payer, I would condone everything you say.</p> <p>The Officer states he is not dealing with a personal matter and would rather be dealing with other matters</p>

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Tape counter times	Person Speaking	Text
		as soon as Mr KIRK is dealt with.
28.16	KIRK	Do I understand that I am being reported for assault on Police because if that's the case, this is the end of the interview.
28.27	GRIFFITHS	There's another few matters I want to discuss with you.
28.30	KIRK	So you aren't going to answer my question?
28.32	GRIFFITHS	As far as the assault on Police, I wasn't there. PC THOMAS confirms that that is his intention and DC GRIFFITHS states he would also advise the Officer to charge Mr KIRK from the evidence available.
29.11	GRIFFITHS	Have we got your address?
29.14	KIRK	Yes, you had my address before I was arrested.
29.23	3052	We haven't got it on the custody record. What we have got is a letter that was found in your property when you came to the Police Station with an address on that. Is that the correct address? It's in the name you gave at the start of the interview.
29.41	KIRK	What address?

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29.43	DC GRIFFITHS	Well, what is your address Mr KIRK?
29.45	KIRK	There's a piece of paper down on that desk, which has my name and my address of residence in Barry and underneath it, on the same piece of paper, which I now ask to be an exhibit to be used in my defence, for any case that comes to Court for an alleged assault on Police, which says "Believed to be extremely violent", underlined in red ink because I want that document not destroyed. It's on a loose piece of paper, attached to the custody record and the Sergeant was very annoyed that I was able to see it as I came through the desk, now it'll be destroyed no doubt. I ask the Duty Solicitor to see it and they would not let him see it.
30.31	DC GRIFFITHS	Mr KIRK - what is your address?
30.32	KIRK	It is on that piece of paper and that piece of paper was in your possession before this interview took place. You knew my

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Tape counter times	Person Speaking	Text
		name and my full address before I was even arrested.
30.47	DC GRIFFITHS	Mr KIRK we do need your address.
30.50	KIRK	Well you've got it. It's on that piece of paper, go and get it and I'll read it out to you, it's only next door.
30.56	DC GRIFFITHS	I'm asking you.
30.57	KIRK	I'm asking you to get piece of paper and I'll read it out to confirm whether it is correct.
31.02	DC GRIFFITHS	I'm not prepared to suspend this interview to get a piece of paper because, you see, thinking like a Detective, it could well be that's not your address - or you can't remember what's on that bit of paper. I want to know your correct address.
31.17	KIRK	That is Irish isn't it, what you've just said. I recognised my own address on that piece of paper. I want that piece of paper to be shown to you.
31.30	DC GRIFFITHS	If that address says "10 Downing Street" you could say "Oh yes, I live there". I want to know what you address is.
32.07	DC GRIFFITHS	Mr KIRK?

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32.21	DC GRIFFITHS	Do you want me to suspend the interview and we'll continue at a later stage? Or are you not going to answer any more questions?
32.29	KIRK	You haven't given me any more questions.
32.33	DC GRIFFITHS	I'm still waiting for the answer to my last one.
32.36	KIRK	I've told you where it is. It's already written down, accurately, attached to my record file.
32.45	DC GRIFFITHS	Who lives at that address?
32.45	KIRK	I do.
32.46	DC GRIFFITHS	Anybody else?
32.48	KIRK	Possibly.
32.50	DC GRIFFITHS	Why are you being difficult about this address?
32.53	KIRK	I'm not being difficult, I asked for that document just now, on the way to this room, I've told you where it is. I've confirmed that it is the correct address.
33.05	MR WILLIAMS	Mr KIRK - all you're doing is prolonging your detention. If you were to tell the Officers and they can check it out.
33.09	DC GRIFFITHS	That's all we want, believe me. All I want to know is what your

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33.16	KIRK	address is and I want to know how we can confirm that. That's all. You can confirm it by going down and reading it off the record. It's there on the record now, I've just read it.
33.22	DC GRIFFITHS	What does it say?
33.25	KIRK	It says my address.
33.26	DC GRIFFITHS	What is your address?
33.27	KIRK	It's written on the record.
33.30	DC GRIFFITHS	Mr KIRK - what is your address? Come on, what's your address? That's all we want to know, what your address is, if we verify it matters can be
33.42	KIRK	It is the same address that's on my driving licence, my insurance, my mortgage, my bank statements, my poll tax - you can check all these things by pressing a computer. You've done all that since two o'clock this afternoon.
34.00	DC GRIFFITHS	I can assure you, at eleven o'clock at night we can't do all that.
34.02	KIRK	You've done it already.
34.04	MR WILLIAMS	Mr KIRK - your main object is to get out of here as soon as possible.