

# Record of Tape Recorded Interview

Person Interviewed MORRIS JOHN KIRK  
 Place of interview Fairwater Police Station  
Cardiff  
 Date of interview 20/5/93  
 Time commenced 10.55 p.m.  
 Duration of interview 45 minutes  
 Interviewing Officer(s) D GRIFFITHS DC  
 Other persons present Ian WILLIAMS (Solicitor)

Police Exhibit No : \_\_\_\_\_  
 Number of Pages 35  
P THOMAS  
 Signature of interviewing officer producing exhibit

Time Concluded 11.40 p.m.  
 Tape reference No's DA/1955/93  
P THOMAS PC 3052

Tape Counter times	Person Speaking	Text
1.04	DC GRIFFITHS	Caution.
1.16	DC GRIFFITHS	When the tape started I asked you your name Mr Morris KIRK. Am I
		correct in saying that is the first time, since the time you've been in custody, you've given your name?
1.28	KIRK	I've been addressed by the Police as Morris KIRK throughout most of my
		custody from about 2.30 this afternoon until about twenty past eight, when I again expressed concern about not getting my rights.
.49	DC GRIFFITHS	Which rights do you feel you haven't had?
1.53	KIRK	Not wishing to be misunderstood I was given every indication I'd be allowed
		to see a Duty Solicitor when I was first brought to the Station and I found it very strange that when I eventually - because I have a very bad neck - I was
		able to get to the door at twenty past eight so the Policeman said the time was and ask

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Tape counter times	Person Speaking	Text
3.08	DC GRIFFITHS	<p>for where the hell is my Duty Inspector or my Duty Solicitor or words to that effect. It was only then I noticed, about ten or fifteen minutes later that I'm told why I've been detained for over six hours by two Police Officers who came into my cell. I want to know why I've been detained here all afternoon with no apparent explanation until they realise that a third party is coming to my cell to whom I can communicate in private.</p>
3.14	KIRK	<p>DC GRIFFITHS points out that he wasn't present at KIRK's arrest.          Could you tell me then what happened at 2.00 p.m. today?          I wish to know from you why I was arrested and why I have been detained for this period of time and why did it take over six hours for somebody to tell me what they considered why I was being detained.          DC GRIFFITHS explains that if an Officer is in a position to 'book' somebody and that person does not provide a name and address, then a power of arrest is provided by the Police and Criminal Evidence Act.          KIRK complains that he has sustained</p>

Continuation Sheet No : 3

Record of tape recorded interview of MORRIS JOHN KIRK

Tape counter times	Person Speaking	Text
4.56	DC GRIFFITHS	a neck injury during his arrest and is in pain as a result.
5.05	KIRK	Would you like to tell me the circumstances of your arrest?
		When I'm satisfied about your information as to why I was arrested and why
		I was detained for so long because you haven't answered those questions.
		It is pointed out that Mr KIRK is being interviewed and that the interviewer
		is endeavouring to obtain an explanation of the events.
34	DC GRIFFITHS	The fact is that you were arrested at two o'clock.
5.36	KIRK	For what?
5.38	DC GRIFFITHS	As I told Section 25 of the Police and Criminal Evidence Act.
5.42	KIRK	But they knew who I was. I was outside my surgery and the general public were telling them who I was and they knew who I was anyway, I had just come from the Police Station, having lodged two serious complaints of harassment, they knew all this that is why I suspect they were there waiting for me when I returned to my surgery. What game are we playing here? I've been to the Police Station

Summary of tape recorded interview of MORRIS JOHN KIRK

Tape counter times	Person Speaking	Text
		<p>twice today to complain about harassment and I'd returned on the second occasion because I'd decided it couldn't be done unofficially, because things were getting too serious and based on the interview with Inspector TRIGG, I decided I would have to return with a letter supporting previous letters of complaints of harassment. So to suggest these Police Officers didn't know who I was and that is why they had the right to arrest me is absolute nonsense. You may not know it because you are just called in to deal with this enquiry now.</p> <p>Mr KIRK confirms that he believes the interviewing Officer may not be in full possession of the facts and states he visited the Police Station for twenty minutes between 9.40 a.m. and 10 at Barry. He describes returning to that Station with previous letters of complaint, which had not been replied to and a letter describing the earlier visit that day en route to Ely Surgery.</p>
7.33	DC GRIFFITHS	Would you accept that you've never seen this Officer before? (PC THOMAS is present.)
.40	KIRK	No.

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		<p>KIRK states he may have seen the Officer previously but that he is not in a position to say when.</p> <p>PC THOMAS states that he has not seen Mr KIRK prior to events at his arrest earlier that day. The Officer states that he came on duty at 1340 that day and the first call he attended was where Mr KIRK was arrested. The Officer describes - for Mr KIRK's benefit attending a report of a fight at Grand Avenue at the premises of Supasave. The report the Officer received is described and the location of the report is also described for Mr KIRK's benefit.</p>
8.52	DC GRIFFITHS	<p>I've spoken to this Officer (PC THOMAS) and obviously he has given me a version of what occurred at about two o'clock today. Despite what you think about Police harassment Mr KIRK it's important that I get an explanation.</p>
9.11	KIRK	<p>I've been detained, I'm on duty, I'm a Veterinary Surgeon - solo on duty tonight for emergency work and I have been detained the whole afternoon, with no reason given whatsoever until about nine o'clock tonight That you cannot get 'round.</p>

Continuation Sheet No : 6Record of tape recorded interview of MORRIS JOHN KIRK

Tape counter times	Person Speaking	Text
9.30	DC GRIFFITHS	But you are in custody now and in order that you get released from custody as soon as possible, what I want to do is get an explanation of certain occurrences that occurred at two o'clock. If you can - I know you may be mad or what have you at the Police, but I want you to do is for you to give me an explanation of how you came to be arrested. I want your side of the story.
10.06	KIRK	I'm not obliged to give it to you.
10.09	DC GRIFFITHS	As you know, at the beginning of the interview I said to you "You don't have to say anything unless you wish to do so but what you say may be given in evidence". If you don't want to tell me what your side of the story is that's a matter for you.
10.25	KIRK	What occurred leading up to my arrest I don't think is relevant at this point of time concerning my continuation in custody.
10.38	DC GRIFFITHS	Do you accept that this Officer wished to speak to you regarding the motor bike. Question repeated.
10.52	KIRK	I don't know.
10.59	DC GRIFFITHS	I've been a Police Officer in Ely for a

Continuation Sheet No : 7

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Tape counter times	Person Speaking	Text
11.23	KIRK	number of years and as you can probably appreciate the Grand Avenue where you work is a fairly run down council estate. This motor bike in question is a BMW 1000 c.c. - It's an expensive thing - It's a big old thing. Would you accept that?
11.25	DC GRIFFITHS	Possibly.
		Therefore, from what I can gather - just as I would do - just as any Police Officer would do, if I see a motor bike there I may want to make enquiries as to whether it's stolen.
11.41	KIRK	You're expecting me to believe all this lead up by you are you? I don't intend to comment.
		It is pointed out that the interviewer is trying to give a perspective of the incident from a Police Officer's view while Mr KIRK is feeling aggrieved at what he interprets as harassment.
12.27	DC GRIFFITHS	Did this Officer come up and speak to you?
12.44	KIRK	I don't know.
		KIRK states he cannot recall if it was the Officer present in the interview or another Officer. He confirms that he was handcuffed and placed in a Police van.
13.10	DC GRIFFITHS	Are you willing to give me an explanation of what happened prior to you being placed in

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13.23	KIRK	the rear of the Police van - handcuffed?
13.33	DC GRIFFITHS	Why the relevance of that? You've told me that I was arrested because they didn't know who I was.
13.34	KIRK	Do you accept that?
13.36	DC GRIFFITHS	No I do not.
13.45	KIRK	Do you accept that you did not give your name and your address, when requested to by this Officer?
13.48	DC GRIFFITHS	Initially I did not.
13.49	KIRK	You did at some stage?
13.56	DC GRIFFITHS	No, because then they addressed me with my name and there was, therefore, no need for me to further communicate with them.
13.58	KIRK	Who gave your name?
14.37	DC GRIFFITHS	Several Police Officers - in the Station - somebody came to the cell at about, round about at a guess by the light through the window, I would say mid afternoon at about 4 saying "That is Morris KIRK" and he went back and told everybody.
14.40	KIRK	Mr KIRK is asked about the time prior to his arrest.
14.41	DC GRIFFITHS	Did you give your name and address?
		No, I would not have done.
		Why was that?



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14.43	KIRK	Because I knew that they would know who I was if it was relevant at all. I was walking in the park remember at the time.
14.52	DC GRIFFITHS	This bike - registration number 1876 - a BMW. Is that your motor bike?
15.09	KIRK	You've been in contact with the Guernsey Police .....
15.13	DC GRIFFITHS	And we've had no joy - I'm telling you that on tape.
5.15	KIRK	Well who gave you the information to cause the Sergeant down there to write on my file as I came through the desk - Morris KIRK - this man believed to be very violent, underlined in red ink. Now if that didn't come from Guernsey where did that information come from? If it wasn't from this Officer that arrested me?
15.47	DC GRIFFITHS	My question is, are you the owner of that bike?
16.01	KIRK	Am I obliged to tell you?
16.05	DC GRIFFITHS	Well again, if you don't reply what can I do? You've complained about being in custody. We are certainly making enquiries as to the lawful owner of this bike we can't have any joy - we've got you

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16.25	KIRK	<p>sitting here with cycle leathers on and a big bike out in the Police Station yard.</p> <p>Yes, but there were a lot of other bikes in that road weren't there? Why am I being attached to that particular bike?</p> <p>It is pointed out that keys in KIRK's possession fit the cycle.</p>
6.37	DC GRIFFITHS	Is that bike yours? It's a simple question.
5.42	KIRK	<p>It is a very simple way to answer you because your conduct is not becoming of an Officer who wishes to keep his nose clean. The Guernsey Police will have informed you by now that not only did I buy it from the Guernsey Police - from a Police Officer by the name of FARNHAM - the son of the musician who you may remember the name of - they know that it was in my possession throughout many years in Guernsey and they know that it is my property and you as a Police Officer will have been informed of this information, during the last six hours of my custody when they contacted the Guernsey Police.</p> <p>The fact that</p>

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18.21	KIRK	<p>the Guernsey Police are currently before the European Commission on investigation by me, due to the stinking behaviour they conduct on a day to day basis, may be some reason why they have distorted some of the facts to you, to cause you to detain me longer than is necessary. But to insult my intelligence by asking me whether I own that bike is really pushing your luck isn't it?</p> <p>The Officer states on tape that they have made enquiries but have not been able to establish the vehicle's owner.</p> <p>Mr KIRK states he does not believe this.</p> <p>Inspector TRIGG no doubt saw me get on the bike outside Barry Police Station, after I'd been there to complain about harassment. I expect they saw me arrive at the Police Station, as I normally arrive on an almost day to day basis. And that bike is parked outside my Surgery at Ely on a regular basis and is seen by the Ely Police on a regular basis. It is not until I lodged my complaint of harassment, which I have been loathe to do but things are</p>

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		mounting up quite fast now. I've had to appear at stupid Court appearances this week yet again, where the Police have decided to withdraw all charges, again giving no reason, no apologies, no cash compensation. They're just out to do damage to me and my family and my business, which is why you lot are detaining me all through the afternoon and all through the night, for the maximum twenty four hours you're entitled to before it moves into somebody else's patch. How do you expect me to prove it's my bike - repeats question.
19.37	DC GRIFFITHS	Have you got a log book?
19.41	KIRK	No.
19.44	DC GRIFFITHS	Well how do you prove it's your bike?
19.46	KIRK	I don't know, you know that.
19.51	DC GRIFFITHS	Is the vehicle taxed?
	KIRK	It's not UK taxed, no, it's not a UK vehicle.
20.01	DC GRIFFITHS	How long have you been here?
2.03	KIRK	Some time.
		KIRK questions the Officer regarding the law and whether he is required to pay excise duty.
20.24	DC GRIFFITHS	Is the vehicle taxed?
20.27	KIRK	You'll have to ask the person whose bike it's registered in.