

General Form of Judgment or Order

In the County Court at Cardiff	
Claim Number	BS614159
Date	19 April 2016



MAURICE JOHN KIRK	1st Claimant Ref
SOUTH WALES CONSTABULARY	1st Defendant Ref APO.MS.SWP001-138

Before His Honour Judge Seys Llewellyn Q.C. sitting at Cardiff Civil Justice Centre

Upon the Defendant handing into the Court a cassette tape and the Court retaining the cassette tape;

It is ordered that:

1. By 4pm on 29 April 2016 the Defendant must file and serve an affidavit or affidavits as follows

(i) Setting out the circumstances in which the cassette tape, handed into and retained by the Court on 15 April 2016, was discovered;

(ii) Identifying all documentation which was located with the cassette tape; the affidavit to be accompanied by a document identifying which of such documents (if any) were not in the trial bundle and which (if any) were not disclosed in these proceedings ;

(iii) Setting out so far as is possible whether the cassette tape handed into court on 15 April 2016 is, or appears to be either the working copy tape or the copy tape which by handwritten memorandum dated 14 April 2005 (copied at Trial Bundle 1/1 page 311) Inspector Hill instructed should be made and sent to Mr Kirk;

(iv) Setting out an explanation of why the cassette tape, handed into and retained by the Court on 15 April 2016, was not previously disclosed by the Defendant;

(v) The existence or otherwise and location if known of the master tape and working copy tape of the interview conducted with the Claimant on 20 May 1993.

2. By 4pm on 29 April 2016 the parties must write to the Court setting out their proposals as to how the cassette tape handed into and retained by the Court on 15 April 2016 shall be dealt with , and in particular what investigation playing or transcription is proposed and by whom.

3. By 4pm on 29 April 2016, the Claimant must file at Court a letter from his proposed expert whom he wishes to examine the cassette tape setting out the following matters:

(i) The nature and extent of their expertise and qualifications;

(ii) What examination they can carry out in relation to the cassette tape;

(iii) The time they will require to carry out such examination;

(iv) .W whether such investigation is or may be destructive of any part of the tape.

4. The Court will consider further directions in respect of the cassette tape at a hearing to be fixed with a time estimate of 2 hours.

5. Costs in the Case.

The court office at the County Court at Cardiff, Cardiff Civil Justice Centre, 2 Park Street, Cardiff, CF10 1ET. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 02920 376400. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Maurice John Kirk

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Dated 15 April 2016

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Dated 15 April 2016

