

F-170 GMC

As you are aware, the alleged breach of the Restraining Order in this case involves Mr Kirk having sent a request addressed to the Clinical Director of Caswell Clinic to attend at a Judicial Review Hearing in order to make Mr Kirk's medical records, held at Caswell Clinic, available to the Court. It is a matter of record that at a Preliminary Hearing in respect of Mr Kirk's Trial in respect of serious firearms charges (for which he was acquitted) Dr [REDACTED] made reference to Mr Kirk possibly suffering from brain cancer and that a brain scan had revealed significant damage to Mr Kirk's brain. It is Mr Kirk's position that Dr [REDACTED] was not qualified to interpret the brain scans upon which this opinion was based and that, in fact, analysis by suitably qualified experts have shown a normal brain for a man of his age. Mr Kirk has subsequently attempted to obtain from the Caswell Clinic all of the relevant medical records and, particularly, the records making reference to cancer. Although various medical records have been disclosed to Mr Kirk, however, none of these make any reference to cancer and give no indication of why Dr [REDACTED] should have alleged such a position in a criminal trial.

This, then, is the background to Mr Kirk's request that the Caswell Clinic produce all of his medical records to the Court at the relevant Judicial Review Hearing. Prior to attending a self drafted Witness Summons to the Caswell Clinic (it is admitted that Mr Kirk, who is representing himself in the Judicial Review matter got the procedure wrong and should have submitted this application to the Court in order for the Court to issue the Summons) Mr Kirk carried out enquiries including internet searches indicating that Dr [REDACTED] now had a wider role and was not the Clinical Director of Caswell Clinic. The Witness Summons was not addressed to Dr [REDACTED] and was not intended to refer to him.

On the contrary, rather than attempting to contact Dr [REDACTED] in breach of a restraining order, Mr Kirk considers it more likely that he will be provided with copies of any medical reports and other documents relating to diagnosis of brain cancer in circumstances where Dr [REDACTED] is in no way involved.

It is Mr Kirk's position that it is in the interest of both the South Wales Police and Dr [REDACTED], who are both the Defendants in civil actions being brought against them by Mr Kirk, to act against his interests by, for example, engineering his arrest and detention so as to disrupt the progress of the civil actions against them, and that his arrest and detention must be seen within this wider context.

Given this background, then, we are writing on behalf of Mr Kirk to urge the CPS to reconsider its decision to proceed with this prosecution and, particularly, to reconsider whether such a prosecution is in the public interest.

We look forward to hearing from you.

Yours Faithfully

G HUW LEWIS

CC: Cardiff Crown Court
Maurice Kirk

[Handwritten signature]
19/4/12