



Nigel Rees,
MAPPA Co-ordinator
ViSOR MAPPA Unit
Public Protection Department
South Wales Police Headquarters
Cowbridge Road
Bridgend
CF31 3SU



15.12.09

Your ref: JD/SW/K0552-001-1

Horsey Lightly, Solicitors
Devon House
12/15 Dartmouth Street
Queen Anne's Gate
London
SW1H 9BL

Dear Sir / Madam

Re: Maurice Kirk – Prison Number BM8473

I thank you for your letter, dated 7.12.09, postmarked 9.12.09 and which I received yesterday.

Category 3 MAPPA cases are defined within the MAPPA Guidance 2009 Version 3.0.

'Offender' does not refer only to the current offence charged but to any relevant previous convictions.

The Responsible Authority has determined that Mr Kirk meets the criteria as a Category 3 case.

Mr Kirk will continue to be informed when MAPPA meetings have been held and what his current MAPPA status may be. Any further disclosures will be decided by a MAPPA meeting and communicated, if applicable, directly to Mr Kirk.

Yours faithfully,

Nigel Rees, MAPPA Co-ordinator, South Wales Area.

Our Ref: JD/SW/K0552-001-1

Your Ref:

7 December 2009

Mr Nigel Rees
MAPPA Coordinator
South Wales Police
Cowbridge Road
Bridgend
CF31 3SU

Dear Sir

Maurice Kirk - Prison Number BM8473

We act for the above named prisoner who is currently held on remand at HMP Cardiff.

We understand from our client that he has been informed that he has been given a Category 3 MAPPA classification which, as you will know, is reserved for offenders who do not qualify under categories 1 and 2, and who pose a risk of serious harm, there being a link between the offending and the risk posed, and it is considered that they require multi-agency management.

The first point that we should make is that our client is not an "offender"; our client is a remand prisoner and has neither been tried, nor convicted, of the offence with which he is charged.

Second, there should be a link between "the offending" and the risk posed, which clearly does not apply, since there is no offence.

Third, MAPPA 3 is reserved for serious sexual or violent offenders, and leaving aside the fact that Mr Kirk has not been convicted of an offence, he would not appear to come within either category.

At this stage, our purpose in writing, is to require you to explain, and to justify, why you consider the MAPPA regime to be appropriate to Mr Kirk and, specifically, to justify the category 3 classification. We would expect your response to include a copy of the risk management plan for Mr Kirk. On receipt of this information, we shall consult further with our client and advise him appropriately.

We look forward to hearing from you within the course of the next five days, that is, on or before Friday 11 December 2009.

Yours faithfully

HORSEY LIGHTLY

email: jdevlin@horseylightly.com