

BARRY MAGISTRATES
GRANT BAIL BUT POLICE PROBA WENT TO

BAIL (AMENDMENT) ACT 1993



CPS

(CONTINUED) ON 2ND PAGE

Section 1 Notice of Appeal Against the Granting of Bail

The Crown Court at: N/A

Unique ref. no: 62CA0652409

Magistrates' Court at: Barry

Magistrates' Court case No: See URN above

Person concerned: MAURICE JOHN KIRK

Surname: KIRK Forenames: MAURICE JOHN

Usual address: THE MARLPITS, ST DONATS, LLANTWIT MAJOR, GUAMORGAN, CF61 1ZB

Charges: Possession of a prohibited weapon contrary to SS(1)(a)
Sale/transfer of prohibited weapon SS(1)(a)

Date of grant of Bail: 24/06/09

Date and time of giving oral Notice of Appeal: 24/06/09 - 1pm

Take notice that I, a person conducting a prosecution by or on behalf of the Director of Public Prosecutions, oral notice of appeal against the granting of bail to the aforementioned having been given at the time, date and place set out above, hereby give written notice of appeal in accordance with section 1(5) of that Act.

The grounds for this appeal are: The prosecution is not a substantial ground for belief in the defendant will fail to surrender and interfere with witness. The offence is punishable by a mandatory minimum sentence of 5 years imprisonment.

Name of Prosecutor: RHIAN JONES Signature: [Signature]

CPS contact address: CPS CARDIFF; CAPITAL TOWER; GREY FRIARS RD; CARDIFF CF10 3PL

Date and time of service of notice on Clerk to Magistrates: 24/06/09 - 2.20pm

Date and time of service of notice on the person concerned: 24/06/09 - 2.30 pm

- Written Notice of Appeal must be given within two hours of the conclusion of the proceedings in which oral Notice of Appeal was given (section 1 (5))
 - Copies of this Notice must be served on the Clerk to the Magistrates' Court and the person concerned (section 1 (5))
 - The hearing of the appeal must be commenced within 48 hours* from the date on which oral Notice of Appeal was given (section 1 (8))
- * The 48 hours excludes weekends, Christmas Day, Good Friday and bank holidays (section 1 (8)) and runs from midnight on the day on which oral Notice of Appeal is given.

Please see overleaf

The Magistrates failed to have sufficient regard to the objections to bail raised by the prosecution and gave excessive weight to the irrelevant matters which were raised by the Defendant in his submissions particularly regarding unrelated civil matters. The prosecution is concerned that the