

MG11 WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

Occurrence Number:	1900418801	URN:	
Statement of:	KIRK, MAURICE JOHN		
Age:	Over 18	Occupation:	Retired: Retired Empl. stat: Retired
This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.			

I am the victim of an assault against myself by members of HMP PARC prison staff which took place on the 1st of November 2019 on the day I was released from the prison. I would also like to make a complaint that my belongings that were in my cell and at reception have not been forwarded on to me and I have no idea where these items are and believe them to have either been stolen or destroyed by G4S staff at HMP PARC. This included legal papers that were of great importance to me and this is not the first time that HMP PARC have failed to provide me with my belongings after being released.

These items include exhibits and legal papers which are needed for my 24th of January 2020 civil court proceedings against G4S.

Assault

This incident happened on the date in question when members of G4S Prison Staff came to my cell in what I think was wing B4 in the prison in order to accompany me out, as it was the date of my release. I would estimate there were at least 4 members of staff that came to my cell initially but within minutes there were about 8 members of staff including the duty manager of the wing, I cannot remember his name nor any of the persons present.

As best that I can remember the incident, the prison officers entered my cell without any real conversation. The Prison Officers entered the cell and quite quickly grabbed hold of my arms and placed me in to handcuffs with my hands around my back.

The officers that entered my cell may have said something to me but I don't remember exactly what but at no point did they ask me to leave the cell and therefore I didn't have the opportunity to comply or refuse.

I do not remember any specific conversation taking place about my property which has gone missing but I believe at some point I left B wing I said words to the effect "I AM NOT LEAVING WITHOUT MY PROPERTY" as I was very concerned about it being lost or destroyed.

When my hands have been placed in to the cuffs particularly as it was to my rear it has caused a great deal of pain and discomfort to my wrist. I have a long term injury to my left wrist from many years ago which was aggravated by the handcuffs. I also had a great deal of pain in my shoulder from the angle they had been placed in for the handcuffs to be applied.

When my hands were placed in to the handcuffs I was screaming in pain and I remember telling them that it was causing me pain and warning them about my pre-existing injuries. I am however certain the officers they were well aware of this already. I believe they would have been aware of this from my time in the prison from my medical notes and my conversations with the staff. I am certain the duty manager was aware of my pre-existing conditions, as although I can't remember his name we had numerous conversations including about my medical conditions including the several broken bones I had suffered over the years.

Despite my protest and obvious pain the officers then lifted me off of the ground and proceeded to carry me out of the prison block and outside. I was offering no resistance at any time throughout this and certainly nothing that I feel warranted this use of force.

I believe I may have even said words to the effect "PUT ME DOWN I WILL WALK". They however did not and being carried in that manner caused me even more pain as it placed pressure on my joints as I was held. Mainly I was lifted and held in a horizontal position with my face pointing up the sky as they took me out.

When I then came out of the block I was then placed back on the floor and I remember they then took hold of my arms and I continued to walk down to the admission block. Two Prison Officers took hold of my arms, firmly taking hold of me by my elbows. However as they moved my elbows around when walking this caused me pain again as it continued to aggravate my injured shoulder. I believe this to be called a "Double Back Hammer" hold.

Whilst escorting me however they repeatedly changed how they were holding me and sometimes they would take hold of me by my wrists and the handcuffs. This caused me further pain because as I have already stated I had an injury to my left wrist, the cuffs alone were causing pain to me and as the cuffs moved it only made it worse. There were several hands on the back of my neck and head pushing my head down which has caused me considerable amount of pain even now to my neck.

Further to this at some point my ankle was twisted but I do not remember exactly when this happened but it was after I was picked up from my cell and as I was walking down to the admission block. I remember complaining about the pain in my ankle to the prison officers around me but I was ignored and they continued to handle me as they were without consideration and at some points I believe they deliberately hit my ankle to cause me further pain.

I also believe that when the officers were twisting my wrists just as they were with my ankle they were doing so on purpose in order to cause me pain and suffering in an effort to show off to prisoners and prison officers.

When outside of the block I was only able to walk very slowly as they had injured my hip when removing me from my cell which made walking very painful and discomforting and due to this I was unable to walk very far or fast. I had a pre-existing injury to my hip which makes is susceptible to becoming injured which they knew.

At some point they then placed their arms through mine and lifted me putting all my weight through my shoulders as my feet were no longer touching the ground. They dragged me down in this fashion for most of the way from my wing until the Admission Block. Although I do not remember completely what happened I believe I walked some of the way to the admissions office as I remember struggling to walk on my injured ankle, hip and other times my feet being off of the ground a few inches as they carried me.

I did not at any point resist the officers either verbally or physically and if when they had entered my cell they had asked me to walk down to the admission block I would have quite happily done so.

Inside the admission block I was then placed on a chair whilst speaking with the officers regarding my release where I know the correct procedure for my discharge were not adhered to.

Following a short period of time in the admission block I was again lifted in some manner and taken to the vehicle airlock. However due to the amount of pain I was in I do not remember exactly how I was carried but I remember being in pain. I do remember that the handcuffs were removed from my wrist in the vehicle airlock.

Outside of the prison I was then put on the grass almost opposite the main gate and next to the car waiting for me. I do not remember how I then got in to the vehicle exactly but I do remember that I struggled as I was in so much pain.

Prison Staff then either put documents in the car or gave them to the man driving me. This was a selection of paperwork including my letters. These items were not from my cell which are the items that I am still trying to

locate. They were in fact letters that had been stopped in and out and not given to me including some from HMP CARDIFF.

I remember being told several times from my cell to the reception area of the admission block about my property when I asked about it and I was informed that it would be sent on after my release which has not happened. I was also denied the use of my wheelchair that I had taken in with me and further to this they have not forwarded this on to me either. Both my parole officer and delegated offender supervisor promised to have the items returned to me.

Cause

I believe that this whole incident was caused by Prison Staff at HMP PARC trying to make a scene with me in front of the prisoners. This is I believe because they thought I was in some way a paedophile or on the sex offenders register which is a lie that South Wales Police are responsible for spreading. I have formed this opinion as I have seen my 4th DECEMBER 2018 Oasis assessment that shows that I falsely have criminal convictions including child abuse, firearms, narcotics, acts of violence and deliberate failure to attend court.

I have also been told by a Doctor at HMP PARC that my 6th of September 2018 medical records from Caswell Clinic have been disclosed to G4S staff at HMP PARC. I believe this will have exacerbated the conduct by staff because this report wrongly portrays me as a dangerous offender due to a statement falsely claiming that I had "significant brain damage". Due to this report I was temporarily made a MAPPA level 3, Category 3 subject until I was eventually downgraded as the information was false.

Injuries

On my way back to where I am now living in England I felt forced to go to Bristol Royal Infirmary Hospital to have my injuries seen to.

Whilst in the hospital they x-rayed my hip and gave me pain relief in the form of codeine and paracetamol to help cope with all the pain I was in. They also gave me crutches to assist me in my mobility as my injuries had restricted my movement.

I wish to make a complaint against the prison officers who assaulted me when they forcibly removed me from my cell and out of the prison. I would also like to make a complaint in relation to the items that have not been forwarded on to me as promised.

I also wish to make a complaint regarding the failure to provide me with my medication that has been prescribed to me whilst in custody. I view this as another form of negligence as for months they would routinely not give me my omeprazole as was required in order to manage issues I have with Barrett's Syndrome.

Signature of Witness

Name:

KIRK, MAURICE

Signed Time:

10/01/2020 17:53



Signature Witnessed By

Name:

Signed Time: