



Fax Transmission

From: TOM BRADFORD	
To: JULIET MCFARLANE	
Date: 25.5.07	
Fax No:	
GRO	

9-12 Bell Yard London WC2A 2JR	
Tel:	GRO
Fax:	
DX:	
clerks@ GRO www.9-12bellyard.com	

This is a confidential transmission intended for the addressee only.

If you receive it in error please telephone: GRO

Message: URGENT

Dear Juliet,

Further to our conversation earlier today, I am writing regarding the hearing before HHJ Brodrick at Chelmsford Crown Court in the case of Josephine Hamilton. Anita Saran represented the defendant. Prior to the hearing, the defence requested that the prosecution state to the court that the material referred to in their correspondence would be served, in order that an application could then be made for two Counsel because of the resulting increase in the length and complexity of the case.

As we confirmed earlier today, no such assurance could be given because the defence has not yet shown this material to us. Mr. Brader attended and confirmed the same. He said that the reference seems to correspond to item 8 of the unused material, which, in his view, the defence would inspect in any event, if it fulfills the disclosure test in the first place. He said that if the material was unused and could simply be inspected by the defence, then there would be no need for it to be photocopied and served in the manner suggested.

Before the Learned Judge, the defence highlighted that 2,700 pages of material have been unearthed by the defence. The defence's view was that, depending on the opinion of the prosecution, it would be served as either evidence to be relied upon or unused material. The defence stated that an application for two counsel would be submitted in due course, and that the length of the trial may be effected. The case was then adjourned to 10th September 2007. Until the defence show the prosecution the material to which they are referring, it is impossible to confirm what action will be taken.

After the hearing, it was suggested by the defence that the material would be shown to the prosecution. It amounts, apparently, to 14 or so ring-binders of papers. When it is forthcoming, this should be examined by the Investigator to determine what the material is, its relevance, and whether it corresponds with item 8 of the schedule of unused material. You will no doubt then be in a position to determine whether it should be served, and, if so, whether it is to be served as evidence relied on or unused material, in consultation with Mr. Jory. Would you be so kind as to liaise with the Investigator to organise this, once the defence have shown us the material to which they are referring. If the result is that the trial estimate is affected, would you please confirm that any effected witnesses are able to attend?

Regards,

Tom Bradford (mob: GRO)