
From: Simon Clarke **GRO**
Sent: Thur 04/07/2013 1:47:02 PM (UTC)
To: Rodric Williams **GRO**
Subject: FW: POL 37142

From: Simon Clarke
Sent: 04 July 2013 14:24
To: martin smith
Subject: POL 37142

Rodric

What we had initially believed to be perhaps one of the more difficult cases in fact turns out to be one of the easiest. This defendant is awaiting his trial and accordingly has not been convicted and sentenced. Because we are not the prosecutor our duty extends to the following:

1. Identify the name of the defendant;
2. Identify the prosecuting CPS area (Martin will do this);
3. Inform that CPS area of the existence of B14; that it has affected the Merthyr Dyfan branch; and that a report is due soon;
4. Disclose the Second Sight report to the CPS once we have it.

If we follow this route the disclosure 'ball' will then be in the CPS court and our duty is satisfied. They will know the defence being run and, if that defence is based on the proposition that Horizon may be responsible, or if that is implicit in the defence (*per* Samra) then they will disclose. If not then they will not!

I think contact with the CPS should be made by us at this end so as to maintain a firewall between POL and this overall problem; so that you are seen to be acting independently and transparently through lawyers; and because we are in any event dealing with the other reviews.

S

Simon Clarke

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Direct: **GRO**

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