

Message

From: Simon Clarke [GRO]
on behalf of Simon Clarke [GRO]
Sent: 7/4/2013 2:12:17 PM
To: Rodric Williams [GRO]
Subject: RE: POL 37142

Rodric,

No reason at all now that I know he is not yet convicted. My concern was that, had he been convicted then in those circumstances we should be informing his lawyers at least at the same time as Cost Cutters. With the further information, that he is not yet tried, that is not now an issue and you can send the B14 letter whenever you think best.

S

From: Rodric Williams [GRO]
Sent: 04 July 2013 15:01
To: Simon Clarke
Cc: Hugh Flemington; Jarnail A Singh; martin smith
Subject: Re: POL 37142

Simon - any reason why we can't send the draft letter to Costcutter I emailed to you last night and which you commented on earlier today?

Rodric

From: Simon Clarke [GRO]
Sent: Thursday, July 04, 2013 01:47 PM
To: Rodric Williams
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

GRO
Direct: **GRO**

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