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Our ref: TC/LJB
Your ref: CRM/239850
Date: 23 May 2005

By Fax & Post : **GRO**

For the attention of : Debbie Helszajn

Criminal Law Team
Royal Mail
Legal Services

GRO

Dear Ms Helszajn

**RE: R v CARL PAGE
STAFFORD CROWN COURT**

We refer to your letter dated 20th May 2005 and subsequent telephone conversation this morning between you and Mr. Cleary of our office.

As discussed we were somewhat surprised to receive Mr. Cottiers response given the spirit and substances of the recent directions hearing. It appears to us that Mr. Cottier has in stark terms refused to attend upon the court with his papers as directed by the learned Judge with the acquiescence of the prosecution. In the circumstances of the Crown's refusing to call Mr. Cottier, the Judge was clearly of the view that it would be proper for him to attend with his papers. We therefore have no alternative but to obtain a Court Order compelling Mr. Cottier to attend upon the Court with all Custom & Excise's papers in relation to this matter.

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Andrew Broome is a Supervisor for serious fraud appointed by the Legal Services Commission.
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Although we have to say we regret the time and expense the court will now be put to when the Crown clearly agreed that this request was appropriate both by their express agreement and or their lack of objection. In an attempt to save time and expense we request you to re-contact Mr. Cottier and endeavour to impress upon him to attend upon Court with all his papers. We would appreciate an answer to our request with 48 hours of receipt of this letter.

Should we fail to receive such confirmation we will be forced to list the matter for the appropriate order to be made and hereby put you on notice as to the potential for a wasted costs order against you.

Although the court held that Mr. Cottiers evidence was not primary, we still maintain that there was a significant degree of interaction between the two enforcement authorities of Royal Mail and Customs & Excise, which on the information we presently hold may either assist the defence's case and or undermine that of the prosecution. As such, the failure of Mr. Cottier to disclose these papers is in our view potentially an abuse of process, especially given the Judges direction that they be disclosed and an acceptance by your Counsel at the hearing on 13th May that this was appropriate.

Finally, on the issue of admissions, we consider at the present time, we are not in a position to make any further admissions.

We look forward to hearing from you soon.

Yours sincerely

Tom Cleary

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