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Sent: 05 December 2013 09:49
To: martin.smith; Jarnail A Singh [GRO]; Rodric Williams [GRO]
Subject: Criminal investigation information sharing [BD-4A.FID20472253]

Martin, Jarnail, Rodric

As discussed last week, below is our next thorny question on the interaction between the mediation scheme and criminal prosecutions.

We now have 4 cases in the Scheme subject to live criminal investigations / prosecutions. Thusfar we have refused to provide any details of these cases to the Working Group. However, the Working Group are concerned that as they have no oversight on these cases, there is no way for them to validate that the applicant's application to the Scheme should remain suspended. Underlying this is a general (and in my view unwarranted) distrust by SS and JFSA of how POL handles criminal cases.

It is has therefore been proposed that POL makes available some information on each of the 4 cases to Tony Hooper. Tony can then take a view on whether POL is progressing those cases reasonably / in good faith. The case information will not be provided to the WG by POL or TH.

This requests breaks down into 3 questions:

1. As a matter of principle, can POL provide information to Tony? I'd be grateful if CK could revert with a view on this point by COB tomorrow.
2. What information should be provided to Tony?
3. How should we provide the information to Tony (eg. what confidentiality rules do we need to put in place? What is the exact question that Tony is being asked to consider? etc.)?

I suggest that we tackle question 1 first and then if we get the "ok" to proceed, consider questions 2 and 3.

Kind regards
Andy

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