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27 October 1995

Dear [REDACTED]

**LAW COMMISSION CONSULTATION PAPER NUMBER 138**  
**EVIDENCE IN CRIMINAL PROCEEDINGS: HEARSAY AND RELATED TOPICS**

I have read the above consultation paper with much interest.

BT has no corporate view on the general topic of hearsay. We would, however, strongly support the suggestion that Section 69 of PACE should be repealed without replacement.

Quite apart from those prosecutions which BT undertakes itself for telecommunications fraud, this company is frequently required to assist the police and CPS in prosecutions for malicious telephone calls and to provide evidence of making of calls in connection with other matters. The entire telecommunications system in this country and, indeed, over much of the globe, is dependent on the operation of computer networks, which connect calls and store records. These systems interact with each other, for the most part without human intervention, and there is a high degree of redundancy and automatic backup in the event of any breakdown. To prove in every case that every computer which feeds information into the system is working correctly is an extremely difficult matter, as a moment's thought will show, and the certification provisions in the Act do not provide an escape from the problem.

Yours sincerely, [REDACTED]

[REDACTED]