

Message

From: Watts, Alan [GRO]
on behalf of Watts, Alan <[GRO]>
Sent: 11/05/2019 15:28:39
To: Thomas Cooper [GRO]
CC: Veronica Branton [GRO]; Tim Parker [GRO]; Ken McCall1 [GRO]; Carla Stent1 [GRO]; Shirine Khoury-Haq [GRO]; Tim.Franklin1 [GRO]; Alisdair Cameron [GRO]; Ben Foat [GRO]; Massey, Kirsten [GRO]
Subject: Re: For info: recusal application refused

Tom

I don't think it is a complete surprise. As you know recusal applications are very unusual and indeed when we first got involved we were very surprised that this route had been taken. The counsel team apparently felt they had no alternative. From our discussions with the Counsel team they certainly seemed optimistic about the chances of leave being granted notwithstanding the unusualness of the application.

What is perhaps surprising is the detail that the judgment goes into, which Counsel may see as supporting their concern of an 'axis' between Coulson and Fraser.

If there is anything positive to be taken from this is that it supports the decision to keep the two appeals separate. Putting the Common Issues Appeal would not have altered the outcome and would have run the risk of tainting that application.

The terms of the decision I think confirms the need to change the Counsel team for the Appeal and certainly confirms our view that we need a view independent of One Essex Court. We have explored the availability of Helen Davies QC (Head of chambers at Brick Court) and can confirm her availability and we are going to speak to her next week.

Happy to discuss further.

Regards

Alan

On 11 May 2019, at 2:16 pm, Thomas Cooper [GRO] wrote:

Copying the HSF team.

This is a big surprise isn't it? Please could HSF comment.

Tom

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From: Veronica Branton [GRO]
Sent: Saturday, May 11, 2019 1:57 pm
To: Tim Parker; Ken McCall1; Thomas Cooper; Carla Stent1; Shirine Khoury-Haq; Tim.Franklin1
Cc: Alisdair Cameron; Ben Foat; Patrick Bourke; Debbie.K Smith; Owen Woodley; Mark R Davies; Mohinder Kang; Rob Houghton
Subject: For info: recusal application refused

Dear all

The recusal application has been refused. Please find the Judgment attached.

Patrick Bourke has advised that Nick Wallis appears to have been briefed on the Judgement last night and has been tweeting. There appears to have been no wider media pick up so far.

Best wishes

Veronica

<image001.png>

Veronica Branton

Head of Secretariat

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