



By Email

9 April 2019

Dear Sirs

Re: Westminster Investigation

I write further to the public hearing on 27 March 2019 where a request was made by Counsel to the Inquiry that the CPS review the circumstances of a 2006 case which was referred to by the SIS witness. We were asked to provide a short summary outlining the CPS' understanding of the decision to offer no evidence.

Owing to the passage of time only limited material is now available however, Counsel who prosecuted that case has been spoken to and has some recollection of events. What follows is based upon Counsel's understanding of what led to the decision to offer no evidence.

The decision to offer no evidence was based on the Crown's obligation to disclose material that might reasonably undermine the Crown's case or assist that of the defence. Counsel was made aware of material that passed this test, but which was deemed to be extremely sensitive and so could not be revealed. The case was not one in which an application for non-disclosure of this material could properly have been made, nor in Counsel's view could other means have ensured a fair trial. Accordingly the Crown offered no evidence.

Yours faithfully,

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