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Sent: Tue 17/06/2014 11:24:33 AM (UTC)
To: Parsons, Andrew [GRO]; Chris Aujard [GRO]; Rodric Williams [GRO]; Angela Van-Den-Bogerd [GRO]; Belinda Crowe [GRO]; David Oliver1 [GRO]; Kathryn Alexander [GRO]; Shirley Hailstones [GRO]
Cc: Simon.Clarke [GRO]; martin.smith [GRO]; Matthews, Gavin [GRO]
Subject: RE: Helen Rose Report and CQRs [BD-4A.FID20472253]

Andy

I am happy with the proposed approach and its sensible in the circumstances, I would suggest that issues continued to be dealt with on case by case basis.

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From: Parsons, Andrew [GRO]
Sent: 17 June 2014 11:27
To: Chris Aujard; Rodric Williams; Jarnail Singh; Angela Van-Den-Bogerd; Belinda Crowe; David Oliver1; Kathryn Alexander; Shirley Hailstones
Cc: Simon.Clarke [GRO]; martin.smith [GRO]; Matthews, Gavin
Subject: Helen Rose Report and CQRs [BD-4A.FID20472253]

All

I've just spoken with CK about a new CQR from Howe & Co that references the Helen Rose report.

You'll recall that the HR Report was retrospectively disclosed in a number of prosecution cases as it drew into question some of the statements made by POL's expert witness, Gareth Jenkins. A copy of the HR Report has made its way to

Howe who are now referencing it generally in their CQRs. For example, the CQR on M060 refers to the HR report however the HR report was not sent to this Applicant.

The point of concern is that the M060 CQR is starting to make the link between (1) the fact that the HR report makes clear that GJ knew of issues with Horizon and (2) the fact that GJ never mentioned these issues in his prosecution evidence (see para 53 in the attached). This line of enquiry draws into question the credibility of GJ's evidence.

The sharing of the HR report between Applicants is potentially a breach of solicitors ethics / contempt of court. However, CK and I don't believe attacking the solicitors on this point would be of benefit – if anything it may draw more attention to the HR Report.

Instead, our preferred approach is to try to down play the importance of the HR report in any POL Investigation Reports. We recommend minimalizing or ignoring entirely the HR Report when responding to CQRs.

If the investigation team need guidance on how to address any HR Report related questions, I suggest that they (or the lawyer here at BD) addresses these directly with CK on a case by case basis.

Please let me know if you are happy with this proposed approach? Martin, Simon and I are available if you have any questions.

Kind regards
Andy

Andrew Parsons
Senior Associate
for and on behalf of Bond Dickinson LLP

Bond Dickinson

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