

McRae, Findlay

From: Gardner, Bruce
Sent: Thursday, 11 December 2014 9:23 AM
To: McRae, Findlay
Subject: RE: Case Studies

Hi Fin

This matter was discussed earlier this week by the Director's Committee.

In brief, the Director believes that at present the PPS has no duty of disclosure to the defence in any of the 5 "case studies" you sent us, largely as a consequence of the uncertainty about the nature, extent or timing of X's behaviour in those matters.

We don't yet have sufficient information to invoke the processes in our Miscarriage of Justice Policy.

That position may change depending on the outcome of the IBAC investigation and whatever findings or recommendations it may make.

For the same reasons, the Director sees no purpose in us undertaking a review of the files in issue at this stage - it is almost certain that nothing of relevance would exist on the prosecution file.

Please let me know if you are awaiting anything further from us at this stage.

I would be interested to hear what the LSC thinks about the Client Privilege issue, if you raise that with him.

thx

bg

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