

PRIVATE
Mr M Glasgow
3 Tansley Court
Highfield Lane
Chesterfield
Derbyshire S41 7AW



8th April 2009

30CH000261906/SA/BAW

Dear Mr Glasgow,

I refer to our telephone conversation in which you complained about a number of issues in relation to your prosecution at Derby Crown Court in 2007. I have looked at the file and also previous correspondence with Miss Zimand, my predecessor. These are the matters you specifically referred to in our telephone conversation: -

- 1) That Johal had no photographs of his injuries taken immediately
- 2) That you had no injuries to your hands
- 3) That there were no CCTV tapes from the hospital showing Mr Johal running through the hospital.
- 4) Your booking-in tape (custody suite video) was destroyed

You felt that these issues were not considered by the Court or us when the case was prosecuted. I hope I have represented the gist of your complaint accurately. The complaint you have made in relation to points 1 and 2 are all issues for the trial process. All I can say is that the decision to prosecute you was appropriate on an assessment of the strength and admissibility of the evidence. After hearing all the evidence, which was tested by Counsel on your behalf through the process of cross-examination, a properly-directed Jury convicted you of Affray.

In relation to point 3, the CCTV was not part of the prosecution case. The police reported on 9/11/06 following enquiries from your Solicitors that there is no CCTV coverage on the coronary care unit or the entrance to that unit. There is coverage in the A & E waiting area and in the entrance but this was not preserved by the police because no part of the offence was believed to have occurred in those areas. Believing it to be irrelevant material therefore the CCTV footage was not seized and hence would have been over-taped or wiped by the Hospital in the usual way.

The issue of the custody suite CCTV was raised by you previously and dealt with by Miss Zimand on

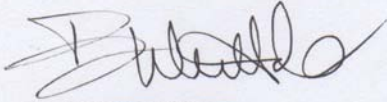
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2 August 2007 in her letter. Please tell me what additional information you require.

Finally, you have rung this office to request untyped copies of the witness statements in this case. Unfortunately, even if I was willing to supply them to you I would not be able to do so as we retained only the typed copies. Your former Solicitors may have retained the untyped copies however.

I hope this is helpful

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Whittaker', with a stylized, flowing script.

B. WHITTAKER
District Crown Prosecutor