

Released Information

(Redacted)

Dear all,

Following my e-mail yesterday, this is an update on the Lynette White trial.

As you will know, this prosecution of a number of South Wales (SW) officers relates to allegations of perverting the course of justice made against them in relation to their investigation of the murder of Lynette White. This is a legacy case - the allegations were made by the original defendants in the murder trial and led to a PCA supervised investigation by SW police. The IPCC supervised a SWP re-investigation. The trial has been running for a number of weeks, but has run into disclosure problems to such an extent that the CPS has decided to discontinue/withdraw the prosecution.

We understand that SW police have shredded documents (believed to have been provided by the IPCC to SW police concerning complaints made by one of the original defendants to the IPCC). We also believe that there are some disclosure issues for the CPS as well.

The judge has recalled the jury to convene tomorrow and the trial will be discontinued. The CPS are intending to put out a short statement tomorrow and the DPP is intending to commission a review of the disclosure in this case. This is similar to the approach the DPP has taken in relation to Radcliffe Power and is likely to gain local and national attention. At present, we do not intend to issue a press release, but this may change in due course.

While the Commissioner and IPCC have worked really hard for a number of years on this investigation and preparing for this trial, at present, we do not anticipate any criticism against or issues for the IPCC. However, as there are allegations of document shredding concerning a prosecution, we may receive referrals from the SW police or the defendants.

The DPP informed the AG this morning and I understand that the AG will receive fuller briefing later on today.

This is extremely sensitive, so would be grateful if you could restrict circulation.

Kind regards

(Redacted)

NOT PROTECTIVELY MARKED

Dear **(Redacted)**

Please find attached briefing as agreed.

I have arranged for copies to be provided to the HMIC **(Redacted)** and Minister Nick Herbert for their information.

Yours sincerely,
(Redacted)

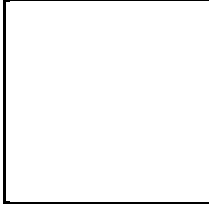
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Please see below and discard the draft I sent earlier.

(Redacted)

(Redacted)

The following release has been issued today,



Issue Date: 02/12/2011

IPCC to investigate allegations against South Wales Police following Lynette White trial collapse

The Independent Police Complaints Commission (IPCC) is to independently investigate allegations against South Wales Police following the collapse of the Lynette White trial at Swansea Crown Court yesterday.

The IPCC `s investigation will look at issues surrounding the destruction of copies of files by South Wales Police officers which contributed to the premature end of the Lynette White trial.

On 1 December 2011 the prosecution offered no evidence and all ten defendants were acquitted.

The IPCC investigation follows the voluntary referral of the matter by South Wales Police.

-ends-

For media enquiries please contact the IPCC press office on 0207-166-3239.

Issued by Mark Pearson (IPCC Press Office) on 02/12/2011 17:25:44

(Redacted)

We can only really say what was issues as a press statement on Thursday which is the following:

STATEMENT FROM IPCC COMMISSIONER SARAH GREEN ON THE LYNETTE WHITE INVESTIGATION

"The Independent Police Complaints Commission has now verified that the documents that the Lynette White trial at Swansea Crown Court on 1 December 2011 was told may have been destroyed have been discovered and were not shredded as first thought.

"The court was told that some enquiries had been made about documents relating to complaints made to the IPCC itself and that it seemed that these documents may have been shredded on the orders of SWP Senior Investigating Officer Chris Coutts.

"The documents were found in the original boxes that the IPCC had sent those files to South Wales Police as part of the trial disclosure process in 2009. These boxes were still in the possession of SWP and have subsequently been verified.

"The IPCC investigation has not yet concluded and will also need to establish what happened to these two files of documents. The IPCC will also continue to liaise with the review being carried out by the director of public prosecutions. We have of course informed the Director of Public Prosecutions about the discovery of these documents.

"The IPCC will of course publish its findings in due course."

Notes for editors

On 1 December 2011 the prosecution in the Lynette White trial at Swansea Crown Court offered no evidence and all 10 defendants were acquitted.

The IPCC investigation is into possible actions by police officers following the voluntary referral of the disclosure matter by South Wales Police.

(Redacted)

(Redacted)

Just to follow up on the Lynette White matter. Cld you let me have a sense of what the implications of uncovering the documents are from IPCC's perspective? And, if you have it, would you also be able to let me have your contact in DPP/CPS office dealing with the review of the disclosure so I can get a sense of implications from their side too. We will try and follow up with SWP what they see as the implications from their side ...

(Redacted)

(Redacted)

You asked for the details of the disclosure issues that had arisen from the following cases so that Ministers can be briefed.

Lynette White: Disclosure issue: The suggestion that there was 'shredding' of documents by SW police which led to the CPS deciding to discontinue the

prosecution. The DPP has commissioned a review of the disclosure. Following a voluntary referral from South Wales Police officers, the IPCC began an independent investigation into the issues surrounding the suggestion that South Wales Police had destroyed files which contributed to the premature end of the trial. The on-going IPCC investigation has, however, recently uncovered the documents that it is believed were said to have been shredded. Both The CPS and South Wales police are aware of this development in the investigation.

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Thanks. Please let me know if this changes.

(Redacted)

NOT PROTECTIVELY MARKED

The current position is as follows; as the IPCC investigation is ongoing as well as the review announced by the DPP the force has not made any further comment in relation to the latest developments. We are of course fully cooperating with both investigations. I hope the below assists.

Thank you

(Redacted)

(Redacted)

You may now be aware of the most recent news to break with regard to the collapse of the Lynette White trial. Documents which were believed to have been destroyed have since been located. They have been handed to the IPCC who published the following statement on Thursday January 26th.

The Force is continuing to work with the IPCC in relation to its investigation and with the DPP regarding his review into the matter.

Since there is a continuing investigation into the trial by the IPCC it is not appropriate for the Force to make any further comment at this stage.

A statement has been made by IPCC Commissioner Sarah Green: "The Independent Police Complaints Commission has now verified that the documents that the Lynette White trial at Swansea Crown Court on 1 December 2011 was told may have been destroyed have been discovered and were not shredded as first thought.

"The court was told that some enquiries had been made about documents relating to complaints made to the IPCC itself and that it seemed that these documents may have been shredded on the orders of SWP Senior Investigating Officer Chris Couatts.

"The documents were found in the original boxes that the IPCC had sent those files in to South Wales Police as part of the trial disclosure process in 2009. These boxes were still in the possession of SWP and have subsequently been verified.

"We have of course informed the Director of Public Prosecutions about the discovery of these documents.

"The IPCC investigation has not yet concluded and will also need to establish what happened to these two files of documents. The IPCC will also continue to liaise with the review being carried out by the director of public prosecutions.

"The IPCC will of course publish its findings in due course."

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NOT PROTECTIVELY MARKED

(Redacted)

We spoke on Monday and you kindly agreed to send me some briefing on the Lynette White case. Would you be able to send me something by 2pm today please?

(Redacted)