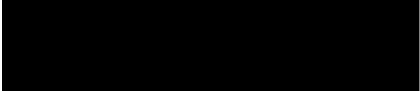
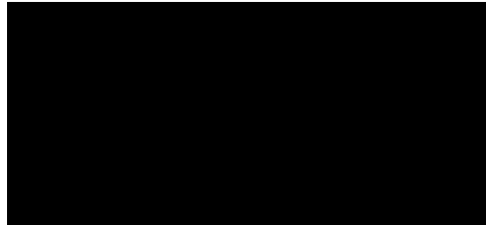


**RICHARD MONTEITH, LL.B**  
**SOLICITORS**

C.R.P. MONTEITH, LL.B



YOUR REF.	OUR REF.	DATE
2209/97	RM/JP/5614	24 October 1997

R A Kitson Esq  
Assistant Director  
Department of the Director  
of Public Prosecutions  
Royal Courts of Justice  
BELFAST BT1 3NX

Dear Sir

RE: R V FORBES, ROBINSON, HANVEY AND HOBSON

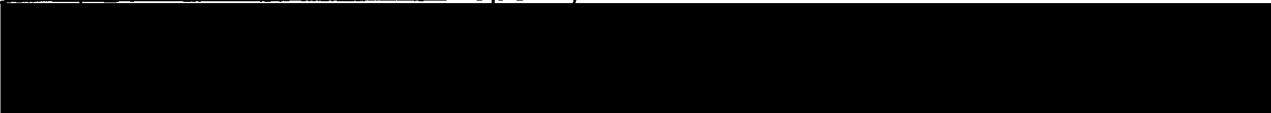
Thankyou for your letter of 7 October. As you are no doubt aware matters have progressed and the Resident Magistrate, Mr [REDACTED] has expressed further concerns on the 22 October, 1997.

I hope this letter has passed with one from your Office forwarding the Forensic Report which apparently was to be with you no later than 24 October, 1997. If that is not the case I am sure you can advise me of the reason for any delay. ✓

I share the concerns of the Resident Magistrate and in particular the lack of any detailed response from the State Pathologist despite the contents of your own letter of 7 October. A detailed time table should in my respectful opinion be sent from the State Pathologist to yourselves and then made available to the Court and the Defence. If this is not possible it is probable that the Defence will consider the suggestion of the Magistrate to issue a Witness Summons and have the State Pathologist attend and advise the Court as to what is holding up the entire file. Accordingly I will need to know which Pathologist is dealing with this file and unless the time scale (and one which is comparatively expeditious) is supplied, I would be obliged for the name of the actual Pathologist.

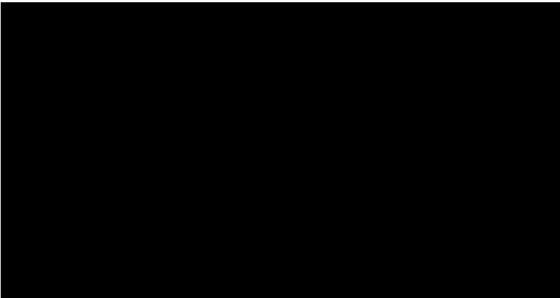
I also understand from your Representative at Court and from general discussion in Portadown, that Witnesses have attended the Offices of the Department for consultations. It is encouraging to see that some steps have been taken to try to move the file forward. At the initial interviews my Clients were all told that either one or at most two witnesses purported to make allegations of criminal activity against each of them. Having had the benefit of these consultations I would be obliged if you would confirm whether or not one or two witnesses continue to give such evidence. Clearly this is a material matter and if the Crown Case has been substantially weakened whether or not the Pathologist has issued his report, consideration could well be

Also at:



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YOUR REF.

OUR REF.

DATE

- 2 -

given to a High Court Bail Application. I feel that such indication should be given to the Defence as soon as possible in view of the comments of the Lord Chief Justice in the case of [redacted]. In particular it was suggested that a Defendant can bring a High Court Bail Application and on the hearing of such an application Crown Counsel could furnish details of the evidence sufficient to satisfy the Court that there is a prima facie case against the accused. Clearly the question as to whether or not one, two or more witnesses are giving evidence is a matter that would have to be opened in the High Court Bail Application. In an effort to avoid recourse to the High Court and the subsequent taking up of Court time and public expense, I would be obliged for a reply to the points raised above.

Yours faithfully

*R Monteith*

RECEIVED  
INITS. *lw*  
27 OCT 1997  
OFFICE OF DIRECTOR  
OF PUBLIC PROSECUTIONS