

have from other matters. We believe we know the identity, but we're not concerned that, but the situation is that we have sought the two original statements by those witnesses, and the Department's attitude is that:-

*There are two witnesses, 'A' and 'B'. They made statements identifying a number of people allegedly involved. A total of six were arrested and charged.*

*In a consultation with Crown Counsel those witness indicated to senior Crown Counsel they were not prepared to give evidence in court, and the Crown does not intend to rely on this evidence at the trial of your client.*

*The parts of the statements relevant to your client were put in interview, and your client was legally represented. The Crown consider that, therefore, the relevant passages of the statements have been disclosed to you. The Crown considers that the remaining portions of those statements are not relevant to an issue at the forthcoming trial and that, therefore, no duty of disclosure attaches".*

And one pauses to say: How can the Crown say, without knowing what our defence is, whether they are relevant or not relevant?

LORD JUSTICE McCOLLUM: Yes.

MR [REDACTED]: But one of the crucial issues concerns, they are two medical aspects. One concerns matters subsequent to his admission to hospital, but the initial matter which also concerns Doctor [REDACTED], concerns the injuries which he sustained and the cause of those injuries. And so we