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Code A

**From:** Williams, David (DCI)  
**Sent:** 25 May 2004 18:15  
**To:** Woodford, Mike  
**Cc:** Grocott, David; Code A  
**Subject:** RE: Dr Andrew Wilcock

Mike..

Many Thanks for the prompt response..this is very helpful.. Regards..DW

David..Please advise Dr WILCOCK as below.. DW.

-----Original Message-----

**From:** Woodford, Mike  
**Sent:** 25 May 2004 14:50  
**To:** Williams, David (DCI)  
**Subject:** RE: Dr Andrew Wilcock

Dave,

Dr Wilcock wishes to know the legal implications of acting as an expert witness. There is of course the obvious one which is that any report would have the status of a Section 9 Statement and, at the risk of stating the obvious, the doctor will realise that the contents of the expert report are true to the best of this knowledge and belief and that he wrote it knowing that, when it was tendered in evidence, he would be liable to prosecution if he had wilfully stated in it anything which he knew to be false or did not believe to be true.

As far as civil law is concerned, evidence in court attracts absolute privilege and the witness is therefore protected from the consequences of any civil proceedings where the cause of action would be something such as defamation. Perhaps Dr Wilcock should also note that there is always a chance his expert report would be used in subsequent civil proceedings. The Police get many applications to disclose the contents of our files if, by way of an example, the relative of a deceased patient wishes to sue the hospital authorities. There is also the distinct probability any evidence we obtain could be released to a body such as the GMC. Even if there was not a criminal trial, the release to the GMC would be sustainable based on the decision of Woolgar - v - Sussex Police as we would be giving the report to a regulatory body concerned with health and safety.

I hope this helps but if you felt I could assist further, I would be more than happy to speak to or meet with Dr Wilcock in order to expand upon the legal situation. That said, he probably has his own legal advice and he could always speak to them rather than us.

Regards.

Mike Woodford

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**From:** Williams, David (DCI)  
**Sent:** 24 May 2004 12:33  
**To:** Woodford, Mike  
**Subject:** FW: Dr Andrew Wilcock

Mike..

Your thoughts in relation to Question 6 would be appreciated.. Regards.DW.

-----Original Message-----

**From:** Code A  
**Sent:** 24 May 2004 12:24  
**To:** Williams, David (DCI)  
**Cc:** Code A  
**Subject:** Dr Andrew Wilcock

Sir,

This is the report that you asked for in relation to tomorrows meeting with Dr Wilcock  
 Dave

<< File: Dr Andrew Wilcock letter.doc >>