



Received 28/5/02

HAMPSHIRE Constabulary

M N WOODFORD MBE TD DMA FCIS
Force Solicitor

West Hill, Winchester
Hampshire, SO22 5DB

Your Ref:

Telephone: 0845 045 45 45

Ext: **Code A**

Our Ref: D4/MNW/SB/misc.57/01

Facsimile: 01962 871226

DX: 132262 Winchester 7

27 May 2002

Mr I Wilson

Code A

Dear Sir

OPERATION ROCHESTER

Thank you for your letter of 18 May 2002.

It is not for me to give you legal advice but I hope this letter explains the situation as far as the Hampshire Constabulary is concerned. I know that Detective Superintendent James has been in touch with certain people in connection with the above investigation and I certainly prepared an appropriate paragraph in a letter which was to be sent out dealing with disclosure. As these reports have not come into the public domain, the police are unable to release them unless they come into the exception of *Woolgar -v- Sussex Police* which deals with release to a regulatory body concerned with health and safety.

The Civil Procedure Rules deal with what is known as non party disclosure and if the Hampshire Constabulary were ordered to release the documents you seek, they would do so in accordance with any court order. The situation would have been fundamentally different if the above police investigation had come into the public domain in the form of criminal proceedings in open court. Any evidence obtained from expert witnesses would have been available for general release if only for the reason that the authors would have given evidence.

/cont'd ...

~~Based on the above, I regret that it would be inappropriate for the Hampshire Constabulary to release any reports they have obtained from medical experts.~~

Yours faithfully

Code A

M N Woodford
Force Solicitor