

file

**LEGAL DEPARTMENT
ATTENDANCE NOTE**

Date: 20 January 2004

File Ref: Motorman

Subject:

I discussed the criminal process with Tanya from the Press Office detailing that when the defendants return on the 4 February 2004 in response to their police bail they may well be charged. They will either be charged and given conditional bail to come back to court in approximately one or two week's time, or be remanded in custody to attend. In my view it is more likely that they will be granted conditional bail, I explained that because it is likely that the charges will be conspiracy these are indictable only and the case will proceed very quickly to the Crown Court.

I also explained to her that we had received a press release from Devon & Cornwall Police and that they were also bailing people and their bail was until April.

I explained to her that regarding the charge this would be something that was difficult for us to comment on as we were in the hands of both the Met. and Devon & Cornwall Police with regard to picking up defendants that remained outstanding. I explained to her that there would be two arguments, firstly in relation to duplicity in that the defence may argue that they are being tried for the same matter twice, and also public interest in that public funds could not justify prosecuting defendants for Data Protection Act offences when far more serious offences were being considered.

I advised that I would send her a copy of the press release from Devon & Cornwall Police and that I would keep her updated.

KN/JT