IN THE COURT OF APPEAL **CASE NO: 2001/1745/S1**

CRIMINAL DIVISION

JEREMY BAMBER

APPELLANT

-v-

REGINA

RESPONDENT

ORDERS OF THE COURT ON 2ND JULY as AMENDED
Lord Justice Kay Presiding

UPON HEARING COUNSEL FOR THE APPELLANT AND THE CROWN THE FOLLOWING ORDERS AND DIRECTIONS ARE MADE:

IN RESPECT OF GROUND 1.

ORDER:

The Crown to identify, where possible, the initials of those persons attending the meeting of 18/9/85.

TIMESCALE:

21 DAYS.

IN RESPECT OF GROUND 2.

ORDER

The Crown to conduct further enquiries in respect of the missing interview audio tape of D.I. Cook conducted during the City of London Inquiry. If it can not be located the Crown should produce a statement detailing all attempts to ascertain the whereabouts of the tape.

TIMESCALE

21 days.

IN RESPECT OF GROUND 4.

ORDER:

The Crown to disclosure **in a redacted form** the Diary of Ann Eaton handed to the City of London Inquiry.

TIMESCALE:

21 days.

IN RESPECT OF GROUND 5.

ORDER

The Crown to disclose the **statement of Damian Parker** (evidence) as to the destruction policy of reference note books within the Midland Bank (now HSBC).

TIMESCALE

21 days.

IN RESPECT OF GROUND 12.

ORDER

The Crown to disclose **if possible** the basis of the information appearing in the report of D.C.I. Ainsley in respect of an officer of the T.F.G. using a telephone at White House Farm.

TIMESCALE:

21 days.

1.2.MISCELLANEOUS DISCLOSURE

- **DOCUMENTS HELD AT MOTUARY and CHELMSFORD and ESSEX HOSPITAL.**

ORDER

The Crown to disclose all documents held by the Mortuary and the Chelmsford and Essex Hospital in respect of the post mortems carried out on the deceased. (See correspondence of 10/04/02).

TIMESCALE:

21 DAYS.

- **DESTRUCTION OF ORIGINAL EXHIBITS**

ORDER

The Crown to disclose the full regulations governing the destruction of exhibits including any definition sections and notes for guidance. The Crown to also produce a statement from D.C.I. Soames detailing the nature of any review, **if any,** conducted by him prior to the destruction of the exhibits.

TIMESCALE:

21 days.

- **DNA IN THE SILENCER**

ORDER

The Crown to disclose all statements and results in respect of the DNA testing of the silencer.

TIMESCALE

21 days.

ORDER

The Crown to make available for DNA testing exhibit AG/5, the milk tooth, said to be that of Pamela Boutflour, on the acceptance by the defence to disclose the results obtained.

TIMESCALE:

By arrangement between the parties.

- **THE STOKENCHURCH ENQUIRY**

ORDER

The Crown to disclose all documentary exhibits referred to in the disclosed statements of the Stokenchurch Enquiry.

TIMESCALE:

7 DAYS.

ORDER

The Crown to tape any interview conducted with D.C.I. Ainsley (ret).

ORDER

The Crown to disclose the interview of D.S. Jones (ret) conducted during the Stokenchurch enquiry.

TIMESCALE

7 days.

- **FORENSIC SCIENCE SERVICE INTERNAL INQUIRY**

ORDER

The Crown to disclose all documents and statements arising out of the Forensic Service Internal Enquiry.

TIMESCALE

21 days.

- **EXHIBT BOOKS**

ORDER

The Crown to disclose all internal Essex Police guidelines in relation to the Completion of exhibit books and form CID/6.

TIMESCALE

31st August 2002.

- **OUTSTANDING CORRESPONDENCE**

ORDER

The Crown to reply to the correspondence of 12/06/02 and 13/06/02.

TIMESCALE:

14 DAYS.

2. THE INDENTIFICATION OF LIVE ISSUES

ORDER

The Crown to identify all issues of fact in dispute .

TIMESCALE

6th September 2002.

DIRECTION

The Crown are encouraged to identify where possible all issues of fact in dispute in advance of that date.

3. FRESH EVIDENCE RELIED UPON BY THE RESPONDENT

ORDER

The Crown to disclose all fresh evidence they intend to rely on by no later than 6th September, together with all unused material arising from the proposed evidence.

4.GENERAL TIMETABLE.

- PROSECUTION PRELIMINARY SKELETON SUBMISSION BY 6TH SEPTEMBER .
- THE PARTIES TO AGREE A JOINT STRUCTURE FOR THE BUNDLES TO BE PRESENTED TO THE COURT BY 6TH SEPTEMBER.
- DEFENCE FINAL SKELETON SUBMISSIONS: 20th SEPTEMBER.
- PROSECUTION FINAL SUBMISSIONS: 27TH SEPTEMBER:
- EACH PARTY TO PRODUCE A DOCUMENT BY 4TH OCTOBER INDENTFYING KEY DOCUMENTS UNDER EACH GROUND OF APPEAL. THE PARTIES ARE ENCOURAGED TO PRODUCE A JOINT DOCUMENT IF POSSIBLE.
- SUBMISSION OF ALL SUBMISSIONS AND DOCUMENTS TO THE COURT: 7TH OCTOBER.
- THE DATE OF THE APPEAL IS SET FOR 14TH OCTOBER 2002.

5. GENERAL DIRECTIONS

- BOTH PARTIES TO NOTIFY THE COURT OF ANY FAILURE IN COMPLIANCE WITH ANY ORDER MADE, IN WRITING DETAILING ALL REASONS FOR NON COMPLIANCE **AND SUPPLY A COPY OF THE LETTER SENT TO THE OTHER PARTY.**

- BOTH PARTIES ARE AT LIBERTY TO APPLY TO THE COURT IN RESPECT OF ANY MATTER SUBJECT TO THE AVAILABILITY OF LORD JUSTICE KAY.

- ALL ORDERS MADE HEREIN ARE CAPABLE OF VARIATION ON APPLICATION BY EITHER PARTY ON NOTICE.

- EITHER PARTY IS AT LIBERTY TO SEEK GUIDANCE FROM THE COURT, IN WRITING ON NOTICE.

- THE PARTIES TO AGREE A REALISTIC RUNNING ORDER AND TIMETABLE FOR EACH GROUND OF APPEAL ON THE BASIS THAT ALL EVIDENCE CALLED WITH LEAVE OF THE COURT IS HEARD AT THE SAME TIME AS A GROUND IS ARGUED, WHERE POSSIBLE.

Michael Turner QC. (counsel for the Appellant)

Annabel Darlow . (counsel for the Respondent)

02/07/02.

AMENDED AT REQUEST OF THE CROWN BY MICHAEL TURNER QC

04/07/02