



CPS

The CPS incorporates RCPO

EBR Attridge
44 Essex Street
London WC2R 3JF

8 October 2013

Dear Sirs

Re: Economou v De Freitas- Southwark Crown Court 18 October 2013

Thank you for submitting the papers in the above case to me. I have now had an opportunity of reading all the papers that have been submitted to me save I have not at this stage considered your abuse of process argument.

As you will obviously appreciate taking over a private prosecution, either to prosecute or discontinue a case, requires very careful consideration, particularly where it relates to a false allegation of rape. Our CPS policies require such a case to be handled by a prosecutor with the appropriate levels of skill and experience in light of the complex and sensitive issues that arise. Furthermore any decision must be approved by a Chief Crown Prosecutor or Deputy and ratified by our Special Crime Division.

It is apparent to me from reading the papers that there is further material which may be in the hands of the Police, for example the video recorded evidence of your client when she made the allegation of rape, which I would wish to view. I have asked the officer in the case to provide me with copies of all the papers in their possession.

Furthermore, I have noted that the police declined to investigate this matter, and although the CPS cannot direct the police to undertake an investigation I have asked them to re-consider this position.

Taking the above factors into consideration the CPS will not be in a position to make a final decision as to whether to take this prosecution over by next Wednesday. I am writing separately to HHJ Taylor at Southwark Crown Court and Edwards Marshall McMahon in identical terms to this letter. I will be asking HHJ Taylor to adjourn this matter for at least 4 weeks. However, you Attridges have suggested that the proceedings should be stayed pending our decision and this may be an appropriate course of action if the police decide to commence an investigation.

If you have any further queries please do not hesitate to contact me. As the CPS are not parties to the proceedings at the present time we will not be attending Court next week, and I would therefore be very grateful if you could update me as soon as possible thereafter.

Complex Casework Unit
One Drummond Gate
Pimlico
London SW1V 2QZ
Telephone: 0207 147 7893

DX 161330 Victoria 19

Yours faithfully



Sarah Maclaren
Head of Homicide and RASSO

**CPS**

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HHJ Taylor
Southwark Crown Court
1 English Grounds
Southwark
London SE1 2HU

13 November 2013

Dear Judge Taylor

Re: Economou v De Freitas- Southwark Crown Court 15 November 2013

Further to my letter dated 8 October 2013 I am writing to update you in respect of our consideration whether to take over the above case over to either prosecute or discontinue.

I have received a large file of papers from both parties, which I have now considered. I have also recently obtained further material from the police which included the the video recorded evidence of Miss De Freitas when she made the allegation of rape, which I have now viewed.

I have met with the Police in conference and asked them to re-consider conducting an investigation into the allegation. They have considered their position and confirm their original decision to take no action.

Although considerable progress has been made, the CPS is not yet in a position to make a final decision in this case. As I explained in my previous letter any decision must be approved by a Chief Crown Prosecutor or Deputy and ratified by our Special Crime Division.

I therefore respectfully request the case be adjourned for a further four weeks for the decision to be made.

I have provided a copy of this letter to the solicitors acting for both parties. As the CPS are not a party to the proceedings we will not be represented at the Hearing this Friday 15 November 2013, but I would be grateful if the contents of this letter could be taken into account.

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Pimlico
London SW1V 2QZ
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Yours sincerely

Sarah Maclaren
Head of Homicide and RASSO



CPS

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HHJ Taylor
Southwark Crown Court
1 English Grounds
Southwark
London SE1 2HU

27 November 2013

Dear Judge Taylor

Re: Economou v De Freitas- Southwark Crown Court

I writer further to my letter dated 13 November 2013, when I requested the above case be adjourned for four weeks in order for full consideration of this case to take place.

I have been informed by the private prosecutor that Your Honour has ordered that a decision whether or not to take over the case should be made by the CPS by 29 November 2013.

I have completed reviewing this case, which has included consideration of a lengthy psychiatric report served on Tuesday in respect of Ms De Freitas. I have met today with Alison Levitt, Principal Legal Adviser to the DPP to discuss the case. Ms Levitt will be concluding her review of the case as soon as possible but due to other engagements and commitments will not be able to complete this by close of play tomorrow in order to meet the 27 November 2013 deadline. She has requested one further week to complete her review, until 6 December 2013.

I can confirm that a decision has been made that this case is one which is appropriate to be taken over by the CPS as opposed to being left in the hands of the private prosecutor.

I would therefore respectfully ask that time be extended for the Crown to inform all parties by 6 December 2013, of our intention to either continue with the prosecution or to discontinue the case, and that the case be listed two weeks thereafter in Court, that is, on 20 December 2013.

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Pimlico
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I have provided a copy of this letter to the solicitors acting for both parties. I understand that parties are not expected to attend Court this Friday and the case will not be formally listed. Mr Zinner of the CPS has, however, been apprised of the position and will be at Southwark Crown Court on Friday should Your Honour require any further information.

Yours sincerely

Sarah Maclaren
Head of Homicide and RASSO



CPS

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EBR Attridge
44 Essex Street
London WC2R 3JF

~~5 December 2013~~

Dear Sirs

Re: Economou v De Freitas- Southwark Crown Court 17 December 2013

I write further to the above matter.

We have now concluded our review of the case papers submitted by yourselves and the solicitors acting for Mr Economou. It is our intention to take over the above prosecution.

We have reviewed the case and we are satisfied that the evidential stage and public interest stage of the Full Code Test are met and we will therefore be continuing with this prosecution.

We have written the same letter to Mr Economou's solicitors and will be notifying the Court.

Yours faithfully

Sarah Maclaren
Head of Homicide and RASSO

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