

From: JOSEPHINE WARD [josephinewardsolicitor@gmail.com]
Sent: 07 August 2013 22:10
To: Lorraine Cordell
Subject: Simon's case

Hi Lorraine

Winchester Crown Court

This case is in the warned list for 29th August 2013. I am still waiting for Simon to provide witnesses who can corroborate the negotiations between Simon and the "seller".

Woolwich Crown Court

The main problem in this case is that Simon is unhappy that he is subject to an electronic curfew. As you are aware I did not request a curfew as I knew that this problem would arise. He was initially given a door step curfew but the Judge changed this to an electronic curfew. This is the preferable option as it is a qualifying curfew and counts half a day towards any custodial sentence, if convicted. The Judge did state an electronic tag as the clerk checked the tapes for what was said. The Judge is within his rights to do this as he will view this as relieving a burden in terms of man power from the police. I cannot challenge this as it is still a curfew.

Bail variation:

Simon has to be realistic in terms of what we can achieve here. One of my obligations as a solicitor is to manage a client's expectations. I will of course make an application to vary Simon's bail conditions but as I stated before I will require emails from Simon from clients requesting that he cover events with quotes given by Simon as to how much he will charge.

The smartest way to attempt to get Simon's bail varied is to ask for certain dates as opposed to lifting the curfew altogether as the Judge will not do this.

If Simon persists in stating that he is not allowed to work and earn his living then Simon will then have to complete a change in financial circumstances statements for both the Woolwich case and the Winchester case and the court will have to assess his monthly contributions for both cases. At present he does not have to make a contribution as he is in receipt of benefits.

I can only properly challenge the evidence in this case when I receive the case papers and then make my requests for secondary disclosure. The court would then be more amenable to an application to remove conditions of bail.

I am sorry that Simon feels that his case is not being handled properly. I sent Simon a client care letter at the commencement of this case outlining the complaints procedure. I do not believe that Michael was aware of the calls made by Simon to the office. I tried to deal with Simon's case personally and usually I do. e.g. Going to Birmingham Police Station in 2012, attending home address after his remand from Camberwell Green Magistrates Court to draft bail application.

I am not sure what happened when I was on annual leave but based on your email it appears that the complaint should be directed against me as I am the fee earner and I am meant to supervise case workers. Michael is the Principal of the Firm and not the fee earner on this case. The case workers knew I was contactable by email and did not contact me. Michael Carroll has had no dealings with this case.

(Since returning from annual leave I have dealt with 2 complex rapes, 3 GBH and a police station duty to date.

I did intend to call at your address this weekend but I was on duty and I had to deal with a complex rape at Colindale on Sunday. This case lasted all day. I can only apologise for this.)

If you do not believe that Michael can investigate and deal with your complaint then I must now advise you to address your complaint regarding this matter to Edel Speirts at the West London office. Her email is edel@michaelcarrollandco.com. If you are not satisfied with her resolution of the complaint then you can then proceed to complain to the Ombudsman.

I am sorry that Simon feels this way and I am sorry that you are disappointed in my conduct of this case.

I will forward this email to Michael Carroll in the morning but if you decide over night that you do not want Michael involved in the complaint and want to include him in the complaint then please confirm this so that I can forward your email to Edel Speirts.

Regards

Josephine Ward (Associate Solicitor)