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Lord Maginnis of Drumglass
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15th August 2013

Dear Ken,

*This is a load of obfuscation.
Secret justice.*

The email dated 31st July and addressed to "Members of Government" has been sent to this office for reply as it concerns the fairness of the trial of Asil Nadir. As you are aware, the Serious Fraud Office is subject to the superintendence of the Attorney General. I reply in his absence.

I know you have strong views about a number of issues in respect of the investigation and prosecution of this case and which have been expressed on many occasions. I also recognize your frustration because you feel that your questions are not being treated in a way that reflects your position as a senior and experienced Parliamentarian and peer.

You refer specifically to there being 35 Public Interest Immunity certificates used in the Trial of Mr Nadir and suggest that it is therefore axiomatic that an injustice was done. A specific question was asked by you and replied to by the Advocate General for Scotland on 18th March of this year and this was followed by a letter from Lord Wallace dated 23rd March in which the Advocate General sought to provide you with an explanation of how PII is used, for what reason and why it was not possible to reply in the detail you asked for.

35!!

I realise that you do not accept that explanation and that my reply is not going to change your mind. Nevertheless, I will make three points. The first is that the use of PII certificates does not render a trial unfair. The trial judge will not allow the use of PII if the effect is to render the trial process unfair to the defendant. Secondly, as the name suggests, PII is only used to protect an important public interest. This may be national security, it may be the safety of an individual. Sometimes the defence in a trial can be told a PII application is being made; sometimes even letting the defence know an application is being made would risk disclosing the very information that is being protected. This means that the use or otherwise of PII certificates is neither confirmed nor denied outside the trial process. So, I am not able to confirm or deny what happened in the trial of Mr Nadir. Again, the fairness to the defendant is at all times monitored by the trial judge so, the trial of Mr Nadir remained a fair one.

*Who defines?
Positions?*

Who decides?

*Even tho' it's public knowledge?
(CIA report?)
(Police spies confessions?)*

Secret 'Justice'?!

Oliver Heald

OLIVER HEALD QC MP
SOLICITOR GENERAL

appointed & briefed by the government.