

STATEMENT OF WITNESS (CJ ACT, 1967, S.9; MC ACT, 1980, S102; MC RULES, 1981, R70)

STATEMENT OF : MICHAEL MATES  
Age of Witness (D.O.B.) : Over 21  
Occupation of Witness : MP

This statement, (consisting of 8 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I should be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 5<sup>th</sup> day of June 2000

Signed: *Michael Mates*

I, MICHAEL JOHN MATES of 902, Hawkins House, Dolphin Square, London SW1V 3NX WILL SAY AS FOLLOWS

1. I have been and remain the Member of Parliament for East Hampshire since 1974. In 1991, I was a backbench MP during the Conservative administration of John Major.
2. Sometime in September 1991, on a date which I cannot now remember, I was consulted by one of my constituents, Mark Rogerson a partner in a firm of PR consultants. He expressed concern to me about the way in which Mr Nadir was being treated by the Prosecuting authorities, the Serious Fraud Office. He outlined certain issues to me and asked whether I would look into the problem. At that stage, I agreed to meet Mr Nadir which I did in September 1991. What he told me I found to be deeply disturbing and I advised him that he should properly raise this with his own Member of Parliament. He told me that he had already seen Mr Peter Brooke, his own MP for Westminster. Apparently Mr Brooke had written to the Attorney General about the case and had been satisfied with the response he received. I knew that Mr Brooke was very fully committed as Secretary of State for Northern Ireland at

the time. Because of this and because Mr Rogerson was one of my constituents, I decided to take the matter up on behalf of Mr Nadir.

3. As a result, I went to see Sir Patrick Mayhew, who was then the Attorney General, and I met him informally on 19th September 1991. At that meeting I outlined all of the concerns as they had been expressed to me. The Attorney General told me to write him a letter which I duly did on 20th September 1991. A copy is in the bundle attached hereto as exhibit "MJM1".

Letter  
20.9.91

4. In that letter I set out the concerns, as expressed to me, about the behaviour of the Serious Fraud Office in their investigation and prosecution of Mr Nadir. The broad heads of complaint are set out in that letter and speak for themselves.

5. The Attorney General replied to me on 10th October 1991 in which he sought to answer the specific concerns that I had raised and he finished by saying that he did not think that we should debate this matter any further. A copy of this letter is attached as exhibit "MJM2".

Letter  
10.10.91

6. In May 1992 I was appointed to the Government and made Minister responsible for security in Northern Ireland. Sir Patrick Mayhew moved from the position of Attorney General and took up the post of Secretary of State to whom I reported. Between October 1991 and probably sometime in the late summer of 1992 I had no further involvement with Mr Nadir. I was then contacted again (probably towards the end of 1992) because of events which I found to be absolutely incredible. I was told by Mr Nadir's Leading Counsel, Anthony Scrivener QC and subsequently by Mr Nadir himself, that allegations had been made firstly of a plot to bribe the Judge and then of a conspiracy to pervert the course of justice which involved the Judge himself, Mr Justice Tucker, Mr Scrivener, Mr Nadir and the Deputy Commissioner of the Metropolitan Police, Mr Wynn-Jones. I am unable at the moment to recollect precisely the date on which this information was given to me.

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*Mickie N...*

"Since then the former Case Controller has replied to the charges and the Director has held an oral hearing at her request. He concluded that a number of the charges had been proved and justified a penalty short of dismissal."

From this, I concluded that there were a series of charges apparently beyond the initial single complaint the Director was investigating concerning the privileged papers and that, according to the PEFO and Director, Lorna Harris had acted in a way not consistent with the Serious Fraud Office's standards or requirements and that the charges had been proved.

26. The last letter I had on the matter was a letter from the Attorney General of 22nd April 1996 (exhibit "MJM9") in which he said that the former Permanent Secretary who had dealt with Mrs Harris' appeal had upheld the Director's decision in respect of two of the charges, but that her appeal had been allowed in respect of the other three charges. Suffice it to say I read this as confirmation that the Serious Fraud Office through their employee, the former Case Controller, had acted in a manner whereby the Director of the Prosecuting authority itself had found five charges proven and that two were upheld on appeal.

Letter  
22.4.96

27. I felt further justified in having brought the concerns which had been expressed to me to the attention of the Attorney General through 1991 and 1993 when I learnt of the suspension from duty, arrest, trial and conviction of Michael Allcock, who on behalf of the SFO, leaked to the Daily Mail my letter to the Attorney General.

28. Since the supper with Mr Nadir immediately before he left the jurisdiction, I have had no further contact with him.

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