

Private and Confidential

Mr Graham J McArthur
c/o Pwllpridd
Oakley Park
Llanidloes
Powys
SY18 6LR

Your ref: 00195/2011
Our ref:

3 August 2011

Dear Mr McArthur

Final decision on your application – Statement of Reasons

The Commission has reached a final decision not to refer your case. The file on this case has now been closed.

On 10 March 2011, you applied to the Commission for a review of your conviction for common assault. We wrote to you on 1 July 2011 letting you know the Commission's provisional view on your application and giving you until 31 July 2011 to make any further submissions to us. The Commission's reasons for its provisional view were as follows:

“The Trial

On 19 January 2009, you were convicted at Welshpool Magistrates' Court of an offence of common assault alleged to have taken place on 25 May 2008. You were also convicted of an offence of criminal damage alleged to have taken place on 26 May 2008, although you do not seek a review of this conviction.

On 10 February 2009, you were sentenced to a term of four months' imprisonment, suspended for a period of 12 months, with a requirement to complete 150 hours unpaid work and be under supervision for 6 months. You were ordered to pay compensation of £300 to Mr Stooke-Vaughan for the assault, £24.21 for the criminal damage, and £250 in costs.

On 9 July 2009, you were convicted at Mold Crown Court of an offence of witness intimidation. This related to an allegation that whilst awaiting trial for the offences of common assault and criminal damage detailed above, you had approached a witness to the offences, Ms King, and threatened that you would make her and her daughter's life unbearable if she did not change her statement. For this offence you were sentenced to six months' imprisonment. You have not applied to the Commission for a review of this conviction.

The facts relating to the offence of common assault on 25 May 2008 are as follows: