

PROTECT

Mr Graham John McArthur
5 Foundry Terrace
Llanidloes
Powys
SY18 6AY

Your ref:
Our ref: 00387/2013

8 April 2013

Dear Mr McArthur

Your application to the Commission

Ms Kneller, Chief Executive, has asked me to reply to your letter of 19 March on her behalf.

You applied to us in relation to the common assault matter in 2011 (our reference 00195/2011). In order to review your conviction, we obtained the Magistrates' Court and Crown Court files. We did not ask for material from the Crown Prosecution Service or from the Probation Service, so your concern that those two bodies supplied us with incomplete information is not well founded.

I can confirm that, before we began our review of your common assault conviction in 2011, we were contacted by the Dyfed-Powys Police. We were informed that you were being held in custody for harassment at that time. The Police sought confirmation from us that you had made an application to us for the common assault matter. We simply provided that confirmation and explained to the Police Officer what our role is in the Criminal Justice System.

After we issued our provisional decision to you in 2011 (for the common assault matter), the Police contacted us again for an update. It appears that the harassment matter was being dealt with in court at that time. The police indicated to us that you were making reference to your 2011 application for the common assault matter in your defence for the harassment matter. We advised the Police that we had made a provisional decision not to refer your common assault matter to the appeal court. We explained what that meant and emphasised that you had been given the opportunity to make further representations before a final decision was made. The Police asked us to provide a copy of our provisional decision to them. We declined to do so.