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Ms Colette Ramsey
Clerk to Lord Justice Laws
Royal Courts of Justice
Strand
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WC2A 2LL

6 March 2009

Dear Ms Ramsey,

URGENT

Andrew Wood v Commissioner of Police for the Metropolis - Court of Appeal ref: C1/2008/1466

I represent the Appellant in the above case, which was heard by Lords Justice Laws, Dyson and Lawrence Collins on 28-29 January 2009. I am writing with regard to a potentially important issue which has recently come to my attention.

If their Lordships are unlikely to hand down judgment soon then it may not be necessary to trouble them, but if judgment is imminent then I respectfully request that they be made aware of this issue as a matter of urgency.

I have been provided with an audio recording of a recent interview conducted by a journalist with Superintendent David Hartshorn, the head of the public order branch of the Metropolitan Police. In the interview Superintendent Hartshorn confirms that photographs taken by FIT or EG teams of innocent protestors may be added to a criminal intelligence database, which is searchable by name. This seems to me to be of potential significance to this case because the impression that has been given to the Court is that such photographs are not added to a searchable database. I have provided the Respondent with a transcript of the relevant parts of the interview and sought clarification of the issue by 4pm on Tuesday 10 March 2009.


Once a response is received it may be necessary to make an application to place before the Court a further document, which it is hoped could be agreed between the parties, to clarify the factual background to the appeal. I wish to assure the Court that such an application will only be made if it is considered absolutely necessary.

In light of the above, if their Lordships were intending to hand down judgment in the next few days, I would be extremely grateful if they would be prepared to delay doing so

while this issue is resolved. I will contact you again by the end of Wednesday 11 March 2009 to confirm whether we intend to make an application. I realise that it is unsatisfactory to raise matters with the Court after the hearing has been concluded and I am extremely sorry for any inconvenience that this may cause to their Lordships.

A copy of this letter has been sent to the Respondent's solicitor.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CF', with a long horizontal flourish extending to the right.

Corinna Ferguson
Legal Officer
LIBERTY

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