

In the matter of:

**John Middleton Bartlett**

and

**The Criminal Cases Review Commission**

Statement of [REDACTED]

I, [REDACTED] of [REDACTED], will say as follows:

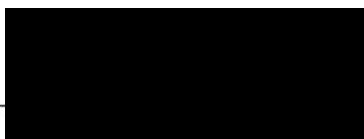
1. I am a former magistrate, retired Managing Director of [REDACTED] and former Chief Executive of the [REDACTED] Group of Companies.
2. I first met and sponsored John Bartlett in 1983, in my then capacity of Managing Director of [REDACTED], that arrangement continuing until around 1990 when I retired.
3. John Bartlett asked me if I would provide a witness statement dealing with my recollection of matters relating to his investigation by Richmond Police and his subsequent trial in 1994. As the events occurred more than 24 years ago, with the passing of time, I cannot now recall all the details, however there are a number of important facts and events that I still recall well.
4. Some time in 1992, after retiring as Chief Executive of the [REDACTED] Group, I was approached by John Bartlett and Robin Donovan and asked if I would consider sponsoring them both in a Prize Indemnity race at Brands Hatch in Kent and at Zolder in Belgium a few weeks later. I was also invited to become a director of a new racing team they were hoping to establish, Star Union Limited, (company number 258379) and a marketing company, Kogent Marketing Limited, (company number 2750069). I agreed to become a director and to provide sponsorship of around £10,000 to be used by Star Union Limited to fund a Prize Indemnity premium with Tyser Special Risks.
5. I attended the first Prize Indemnity race at Brands Hatch on 26th July 1992. The race was made up of 2 heats and I recall John Bartlett was to drive in the first heat and Robin Donovan in the second heat. I recall witnessing John Bartlett in the Brands Hatch pits, after the first heat, suffering with major problems with his lower back and neck injuries and that he was in very significant pain. A problem then occurred with the rules, preventing Robin Donovan from driving in the second heat. John Bartlett did not want to drive in the second heat due to being in considerable pain but he agreed to do so, as there was no other viable option. I recall the team mechanics strapping John Bartlett's head to the roll cage of the car as he was unable to hold his head up. Robin Donovan later drove in the Zolder race in Belgium and won the Prize Indemnity payout. I was not present at the second (Zolder) race.
6. I recall some time in early 1993 being told by John Bartlett that he had been arrested and charged with fraudulently claiming on his insurance policies for his back injuries and unemployment insurance policies. Some time after this I became aware that extra charges had been added relating to the Prize Indemnity races.
7. By August 1993, it had become apparent to me that the ongoing investigation into John Bartlett by the Richmond Police was preventing any attempts to establish the new Racing Team, Star Union. I was also being pursued by Robin Donovan to cover expenses he had incurred (TEB - 1). I decided to resign as Managing Director of Star Union Limited and Kogent Marketing Limited (TEB - 2). On 8th September 1993, I sold my interest in both companies to John Bartlett and Robin Donovan for the sum of approximately £10,000, to be paid as soon as possible. The agreement was guaranteed by John Bartlett's wife, Mary Bartlett, who was the owner of the family home, Priory Manor. An agreement was drawn up by George Ide, Phillips (TEB - 3) and was signed by all parties on 8th September 1993.
8. I was subsequently interviewed about the Prize Indemnity races, by DC Stroud and another other officer, whose name I can't recall. I remember being astonished at the time at their attitude towards John Bartlett

and felt that it was a lot less objective an attitude than should be expected from police officers investigating possible crime and did wonder at the affect on other potential witnesses interviewed using that approach. Despite spending several years as a magistrate and therefore not being totally unfamiliar with our justice system, I remain convinced that the police officers should not have been interviewing in such a manner. There is no doubt in my mind that their method of conditioning was prejudicial to any statement received and I feel was totally unfair to the subject of their enquiries.

9. I was called by the prosecution to give evidence at John Bartlett's trial in 1994. I recall explaining that I had been in the pits at Brands Hatch and had witnessed first hand the considerable pain John Bartlett was in with his back and neck, after driving in the first heat. I also explained that I was present when John Bartlett had said he did not feel able to drive safely in the second heat and only agreed to do so as there was no other realistic option after Robin Donovan was unable to drive due to a problem with the rules.
10. Whilst giving evidence at John Bartlett's trial in 1994, I very clearly recall being concerned with the attitude of the trial judge, which appeared to me, far less impartial than it should have been.
11. I was shown a copy of the trial judges summing transcript up of my supposed evidence for the first time, today, 2nd November 2017 and was specifically referred to page 39 D to F (TEB - 3). Based on that official transcript, I would say that the trial judge grossly and completely misrepresented the facts and evidence I gave in evidence at John Bartlett's trial. The evidence I had provided at the time was clear and unambiguous. John Bartlett was in considerable pain at Brands Hatch on 26th July 1992, following the first heat. He clearly had two different problems, one with his lower back and the second, higher up, affecting his neck. He made it very clear to me, and those around on that day, that he did not want to risk driving in the second heat. However, as there was no option, due to an anomaly in the rules, he raced in the second heat whilst medicated, wearing a neck collar with his head strapped and bolted to the cars roll cage. This was the gist of the evidence that I gave during John Bartlett's trial in 1994.
12. With John Bartlett in prison, Star Union Limited and Kogent Marketing Limited, liquidated, its assets taken by the court and a court order for Priory Manor to be sold, I did not pursue John or Mary Bartlett for the £10,000 (pt 7), and Robin Donovan made no attempt to communicate or acknowledge any part of the debt he had agreed to repay. However, in or around May 2005, Mary Bartlett contacted me and began making repayments by instalments, totalling £3,300. A final payment was made sometime in late 2007 by Mary and John Bartlett, clearing the debt. I received nothing whatsoever from Robin Donovan nor had any further contact with him.

I believe that the facts stated in this witness statement are true.

Signed



Dated 4.11.17



Asked what was actually involved in the operation, he said "It appeared to me that until race day, there was a heck of a lot of work done on the telephone. A It's only in the last six months", he said, that he became aware that the defendant is dyslexic. He said that he knew that the defendant provided some computer equipment for Star Union. Dealing with the document at two three six, he said B "After Zolda I became aware that expenses had been incurred in relation to other drivers." That was the defendant's area of expertise. The last paragraph on page two hundred and thirty six he said he treated with a degree of cynicism. Whether he meant cynicism or scepticism it may not matter much.

C His explanation for so treating it was that the figures never met in the end result. Regarding the prize indemnity insurance, he said that he did not tell Justin Everitt that Messrs Bartlett and Donovan had a financial interest in Star Union. He said "I wasn't asked". He said "I only really understood that the risk to be D insured was to purchase the Gunner Porsche and once Donovan came fifth at Zolda, the company's obligation was to buy the car."

E Dealing with the defendant's physical condition, he said there was a discussion at Brands Hatch as to whether the defendant should drive the second heat. There were two problems. One he had been wearing a neck collar so that indicated a physical problem, but there was also the fact that it was the defendant that had qualified the car and the rules were such that if Donovan was to drive it in the second heat there would be a major disadvantage inasmuch as he would F have to start from the pit lane, ie at the back, and that was a disadvantage in relation to the odds for getting the win or the placing that they wanted.

G He said that the defendant did not make any big thing of his back. He said he was not sure whose idea it was that legal advice should be sought about the obligation or otherwise to buy the Porsche, but he said that the defendant was anxious to do and to be seen to do the right thing in law.

H Dealing with the documents at two three six which are, of course, dated 19th August, he said at that time it wasn't even likely to have been discussed