

2, King Edward Court,
King Edward Court,
King Edward Street,
Nottingham, NG1 1EL



CPS NOTTINGHAM

**Central, Beeston,
West Bridgford and
Carlton Team**

Janine Smith

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Janine Smith: DPA

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Copy

Fax

To: DC ALAN KIRK CAIU **From:** Janine Smith

Fao: **Pages:**

URN: DPA **Date:** 22/12/00

Re: DEAN GATHERCOLE **Court**
&Date: N/A

- Urgent
- For Review
- Please Comment
- Please Reply

Thankyou for submitting the file which contains a statement from **NO-A79** dated 26/12/00 & the record of interview which took place on 28/11/00 together with some confidential information.

Dean Gathercole was in a great position of trust being the key careworker for the victim whilst she was resident in Amberdale. The offence is very serious be

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**Crown Prosecution
Service**

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The offence is very old, going back to 1987 and has only just been reported. Dear Gattercole has to be given a fair trial and the opportunity to call witnesses in his defence and give an alibi if appropriate. We cannot say what day the rape allegedly took place. Because of the delay and uncertainty Gattercole may be denied a fair trial.

I note that the victim did not report the incident at the time or indeed even mention it to anyone. She has come forward now because she has seen an old abuse case in the press. None of that helps our case. Neither are we helped by having no forensic or corroborative at all. Even the log book doesn't exist our case.

I see that there were concerns at the time about her promiscuity.

The accused, in interview, gives an explanation of his knowledge of the layout of the house. There is nothing about his physical appearance that could not have been found out legitimately. He denies everything (24)

Returned from Janine Smith, Ext **DPA**

answer the questions in detail.

Having considered the file and because of the reasons above I do not think there is a realistic prospect of conviction. A jury, in my opinion, would not convict and therefore my advice is that we do not prosecute. Dear Catherine,

Yours sincerely,

DPA