

residents of the home that they had been indecently assaulted by "S". The alleged abuse involved the defendant performing "medical examinations" on the boys in which he took hold of their testicles and made them cough and making them remove their trousers and smack their bottoms. S was interviewed and stated that he was acting in loco parentis and that nothing indecent occurred.

In 1970 the file was submitted to the Director of Public Prosecutions who concluded That the allegations were "somewhat stale" and "completely without corroboration" and that there was "no reasonable prospect of conviction" [ see DPP etter dated 19<sup>th</sup> March 1970].

On the 23<sup>rd</sup> March 1970 "S" was informed that the police intended to "take no further action" in relation to the original complaints [see minute 23<sup>rd</sup> March 1970].

#### Advice on Resurrection

In March 1998 South Wales Police received a complaint from [RO-A1] who alleged that his original complaint had not been properly investigated. The complaint was referred to PL Watson.

PL Watson was of the opinion that there was sufficient evidence to provide a realistic prospect of conviction [para 10 17<sup>th</sup> June 1998] but that any proceedings would be met with an application to stay proceedings on the basis that the defendant had been given a legitimate expectation that "no further action would be taken" in 1970 and on the grounds of delay [para 12 & 13].

PL Watson was of the opinion that an application to stay would be likely to succeed and that no proceedings should instituted.

#### Advice on complaint of [RO-A4]

On the 29<sup>th</sup> March 1999 DS Hill submitted a further report to PL Watson detailing further complaints from [RO-A4] and [RO-A68] who had not been spoken to by the police during the original investigation.

PL Watson treated these matters as separate complaints. He concluded that [RO-A4]'s credibility was seriously undermined by the history of his contacts with "S" and that [RO-A68] statement disclosed no offence.

PL Watson concluded that there was insufficient evidence to provide a realistic prospect of conviction [see para 7 Advice dated 21<sup>st</sup> May 1999].

#### Opinion:

Over the last forty years the courts attitudes to offences of this nature has evolved. Inferences can now be drawn from silence and the law relating to corroboration and